

1/4	(1-26)	1/5	(27-35)	1/9	(36-44)
1/10	(45-55)	1/11	(56-64)	1/12	(65-79)
1/17	(80-103)	1/18	(104-121)	1/19	(122-137)
1/23	(138-149)	1/24	(150-161)	1/25	(162-171)
1/26	(172-182)	1/30	(183-191)	1/31	(192-201)
2/1	(202-214)	2/2	(215-225)	2/6	(226-240)
2/7	(241-260)	2/8	(261-278)	2/9	(279-296)
2/13	(297-309)	2/14	(310-327)	2/15	(328-348)
2/16	(349-358)	2/17	(359-364)	2/20	(365-382)
2/21	(383-392)	2/22	(393-412)	2/23	(413-433)
2/27	(434-442)	2/28	(443-452)	2/29	(453-464)
3/1	(465-487)	3/5	(488-503)	3/6	(504-526)
3/7	(527-558)	3/8	(559-600)	3/19	(601-613)
3/20	(614-641)	3/21	(642-667)	3/22	(668-701)
3/23	(702-709)	3/26	(710-720)	3/27	(721-741)
3/28	(742-823)	3/29	(824-863)	3/30	(864-870)
4/2	(871-877)	4/3	(878-901)	4/4	(902-951)
4/5	(952-976)	4/10	(977-983)	4/11	(984-1028)
4/12	(1029-1049)	4/16	(1050-1068)	4/17	(1069-1086)
4/18	(1087-1108)	4/20	(1109-1147)	4/23	(1148-1156)
4/24	(1157-1199)	4/25	(1200-1274)	4/26	(1275-1299)
4/30	(1300-1341)	5/1	(1342-1438)	5/2	(1439-1515)
5/3	(1516-1562)	5/7	(1563-1622)	5/8	(1623-1655)
5/9	(1656-1796)	5/10	(1797-1846)	5/14	(1847-1934)
5/15	(1935-2030)	5/16	(2031-2351)	5/17	(2352-2585)
5/18	(2586-2733)	5/30	(2734-2738)	9/12	(1-18)

Journal of the House

NINETY-SIXTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI
SECOND REGULAR SESSION

FIRST DAY, WEDNESDAY, JANUARY 4, 2012

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He that loveth not, knoweth not God; for God is love. (I John 4:8)

Our God, to You do we come in prayer, lifting our minds and hearts into Your Holy presence as we begin in 2012. Assure us that You are with us and that we have a real place in Your heart and in Your endeavors to bring righteousness and peace and good will to our state.

We know that we are all too imperfect and that we have offended You - yet we believe that You are with us, loving us with a love that never lets us go and never lets us down. In Your love we live, by Your love we learn, and through Your love we find light for our day. May we be our loving best as we face the tasks of this day and session.

And the House says, "Amen!"

The Malden Route 1 Junior ROTC Color Guard presented the Colors.

The Pledge of Allegiance to the flag was recited.

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 151

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey

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Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 001

Atkins

ABSENT WITH LEAVE: 007

Carter	Hughes	Kelly 24	McNary	Meadows
Smith 71	Weter			

VACANCIES: 004

The members of the Malden Route 1 Junior ROTC program were presented a resolution by Representative Hampton.

COMMUNICATIONS FROM THE SECRETARY OF STATE

TO THE CHIEF CLERK OF THE MISSOURI HOUSE

Mr. Adam Crumbliss

Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 41st Legislative District in the State of Missouri, on the 8th day of November, 2011, as provided by law, the following named person was elected to the office of State Representative, 41st Legislative District as shown by the election results certified to this office by the election authorities of the 41st Legislative District.

Name

Brandon Ellington
3836 Chestnut Ave.
Kansas City, MO 64128

Office

State Representative
41st Legislative District

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed the seal of my office this 29th day of November,
2011.

/s/ Robin Carnahan
Secretary of State

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Mr. Adam Crumbliss
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 83rd Legislative District in the State of Missouri, on the 8th day of November, 2011, as provided by law, the following named person was elected to the office of State Representative, 83rd Legislative District as shown by the election results certified to this office by the election authorities of the 83rd Legislative District.

Name	Office
Tracy McCreery 41 Rye Lane St. Louis, MO 63132	State Representative 83 rd Legislative District

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed the seal of my office this 29th day of November,
2011.

/s/ Robin Carnahan
Secretary of State

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Mr. Adam Crumbliss
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 39th Legislative District in the State of Missouri, on the 8th day of November, 2011, as provided by law, the following named person was elected to the office of State Representative, 39th Legislative District as shown by the election results certified to this office by the election authority of the 39th Legislative District.

Name	Office
Judy Morgan 3837 Campbell St. Kansas City, MO 64109	State Representative 39 th Legislative District

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the seal of my office this
29th day of November, 2011.

/s/ Robin Carnahan
Secretary of State

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Mr. Adam Crumbliss
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 15th Legislative District in the State of Missouri, on the 8th day of November, 2011, as provided by law, the following named person was elected to the office of State Representative, 15th Legislative District as shown by the election results certified to this office by the election authority of the 15th Legislative District.

Name

Office

Chrissy Sommer
6 Williamsburg Ct.
St. Charles, MO 63303

State Representative
15th Legislative District

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the seal of my office this
29th day of November, 2011.

/s/ Robin Carnahan
Secretary of State

To the Honorable House of Representatives of the 96th General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 96th General Assembly (Second Regular Session) of the State of Missouri, elected at the General Election held on November 2, 2010, and the Special Election held November 8, 2011.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 4th day of January, 2012.

/s/ Robin Carnahan
Secretary of State

MISSOURI HOUSE OF REPRESENTATIVES
96th General Assembly, Second Regular Session

District	Name
1st	Craig Redmon
2nd	Zachary R. Wyatt
3rd	Casey Lee Guernsey

4th	Mike Thomson
5th	Glen O. Klippenstein
6th	Lindell F. Shumake
7th	Mike Lair
8th	Tom Shively
9th	Paul Quinn
10th	Jay D. Houghton
11th	Ed Schieffer
12th	Doug Funderburk
13th	Chuck Gatschenberger
14th	Kathie Conway
15th*	Chrissy Sommer
16th	Mark A. Parkinson
17th	Vicki A. Schneider
18th	Anne Zerr
19th	Kurt M. Bahr
20th	Jeanie Riddle
21st	John W. Cauthorn
22nd	Randy C. Asbury
23rd	Stephen D. Webber
24th	Chris Kelly
25th	Mary Wynne Still
26th	Joe Aull
27th	Pat Conway
28th	Delus Johnson
29th	Galen Wayne Higdon, Jr.
30th	Nick Marshall
31st	Jay P. Swearingen
32nd	Ron Schieber
33rd	Jerry Nolte
34th	Myron J. Neth
35th	T.J. Berry
36th	Bob Nance
37th	Mike Talboy
38th	Ryan A. Silvey
39th*	Judy Morgan
40th	John J. Rizzo
41st*	Brandon Ellington
42nd	Leonard Hughes IV
43rd	Gail McCann Beatty
44th	Jason Kander
45th	Jason Holsman
46th	Kevin McManus
47th	Jeff Grisamore
48th	Gary L. Cross
49th	Tom McDonald
50th	Michael R. Brown
51st	Ira Anders
52nd	Noel S. Torpey
53rd	Brent Lasater
54th	Jeanie Lauer
55th	Sheila Solon
56th	Mike Cierpiot
57th	Karla May

*Elected at a Special Election held November 8, 2011.

58th	Penny V. Hubbard
59th	Jeanette Mott Oxford
60th	Jamilah Nasheed
61st	Chris Carter III
62nd	Donald E. (Don) Phillips
63rd	Tishaura O. Jones
64th	Susan Carlson
65th	Michele R. Kratky
66th	Genise D. Montecillo
67th	Mike Colona
68th	David Sater
69th	Tommie L. Pierson
70th	Sharon L. Pace
71st	Clem Smith
72nd	Rory Ellinger
73rd	Stacey Newman
74th	Steve E. Webb Sr.
75th	Bert Atkins
76th	Churie M. Spreng
77th	Eileen M. McGeoghegan
78th	Margo McNeil
79th	Mary Nichols
80th	Sylvester Taylor II
81st	Rochelle Walton Gray
82nd	Jill Schupp
83rd*	Tracy McCreery
84th	Don Gosen
85th	Cloria C. Brown
86th	Cole C. McNary
87th	John J. Diehl Jr.
88th	Andrew P. Koenig
89th	Timothy W. Jones
90th	John C. McCaherty
91st	Jeanne M. Kirkton
92nd	Susan K. (Sue) Allen
93rd	Dwight Scharnhorst
94th	Rick Stream
95th	Mike Leara
96th	Scott Sifton
97th	Gary B. Fuhr
98th	Dave Hinson
99th	Bart Korman
100th	Marsha E. Haefner
101st	Timothy G. (Tim) Meadows
102nd	Paul Wieland
103rd	Ron Casey
104th	Joseph Fallert Jr.
105th	Paul R. Curtman
106th	Steven D. Tilley
107th	Linda Black
108th	Jacob W. Hummel
109th	Scott David Dieckhaus
110th	Ben S. Harris
111th	Dave A. Schatz

*Elected at a Special Election held November 8, 2011.

112th	Tom Loehner
113th	Mike Bernskoetter
114th	Jay Barnes
115th	Rodney Schad
116th	Wanda Brown
117th	Caleb M. Jones
118th	Stanley Cox
119th	Sandy Crawford
120th	Scott Largent
121st	Denny L. Hoskins
122nd	Michael W. (Mike) McGhee
123rd	Chris Molendorp
124th	Rick R. Brattin
125th	Barney J. Fisher
126th	Mike Kelley
127th	Thomas C. Flanigan
128th	Charlie E. Davis
129th	Bill White
130th	Bill Reiboldt
131st	Bill Lant
132nd	Don Ruzicka
133rd	Sue Entlicher
134th	Thomas Long
135th	Charlie Denison
136th	Eric Burlison
137th	Melissa Leach
138th	Sara Lampe
139th	Shane Schoeller
140th	Lincoln P. Hough
141st	Kevin Elmer
142nd	Ray Weter
143rd	Lyle E. Rowland
144th	Tony Dugger
145th	Lyndall D. Fraker
146th	Darrell Pollock
147th	Don D. Wells
148th	David A. Day
149th	Keith J. Frederick
150th	Jason Smith
151st	Ward Franz
152nd	Paul Fitzwater
153rd	Steve C. Cookson
154th	Todd Richardson
155th	Diane Franklin
156th	Shelley Keeney
157th	Donna Lichtenegger
158th	Wayne Wallingford
159th	Billy Pat Wright
160th	Ellen C. Brandom
161st	Steve Hodges
162nd	Terry Swinger
163rd	Kent Hampton

ADDRESS BY SPEAKER STEVEN TILLEY

Friends, family and colleagues, welcome back to the Missouri House of Representatives.

As I've glanced into the very near future and see my life outside of this building (and man will that be nice), I've also been thinking a lot about those Missourians who do not think of what goes on in this building - the person who is not partisan or ideological and who doesn't spend their time reading blogs or spreading political gossip.

What does that person desire out of their state government? I think there are four things:

- First, they believe government should stay out of their wallets and live within its means just as they must do in their own lives.
- Second, they believe state government should respect and protect Missouri values.
- Third, they believe state government ought to work to create an environment in which our economy can flourish.
- And finally, Missourians believe that all children deserve a world-class education, regardless of gender, geography, income, or race.

Today, I am going to lay out a plan called the Blueprint for Missouri that I believe will accomplish these goals. In this year's legislative session, we will stay out of the taxpayer's wallet and force state government to live within its means. We will pass a taxpayer protection amendment to give Missourians the opportunity to end the boom-or-bust budget cycle by placing strict limits on the growth of government.

And I stand here today to renew our pledge to pass yet another balanced budget... a budget balanced by making the tough decisions the voters sent us here to make, not by raising taxes on hardworking Missourians.

Unlike Washington, we won't balance our budget by borrowing from the taxpayer, and, unlike our governor, we will not balance our budget by asking our state colleges and universities for a bailout.

We will respect and defend the values of Missouri voters by passing legislation protecting pharmacists' right of conscience not to prescribe abortion drugs; creating a stable funding source for Missouri veterans' homes, and ensuring Missouri law protects our children from predators.

In this economy, Missourians expect us to get to work, to help get them back to work. To do that, we must work to create an economic climate where businesses believe they can not only keep their doors open, but can grow, and hire. This session, we will work to give employers the stability they need by taking a comprehensive look at the laws effecting Missouri businesses and work to provide them with the relief they need. We will work to protect Missouri employers from frivolous law suits from being filed against them by instituting a 'loser pays' legal system, where those who file junk lawsuits against our job creators and lose are forced to pay the bill.

And we will focus on education to improve the prospects of long-term growth. For too many years we've done nothing to help Missouri children in failing school districts. As your Speaker, I make this pledge to the thousands of Missouri children currently in failing schools: You are not forgotten, and we will fight each and every day here in the Missouri House to give you the kind of quality education every child deserves.

If I ended right now it would probably go down as the shortest opening day speech in Missouri history.

In seven – now eight years – of service in this body, I've never heard a fellow member say that the Speaker's opening day speech was too short. Every year the Speaker trudges up here and uses flowery language to recite a laundry list of legislative priorities. Having been freed from the shackles of seeking future elected office, that's not the speech you're going to hear today. Instead, I want to talk about life and those special moments that make it so amazing.

As I enter my last session in the General Assembly, and personally go through a difficult time in my life, I have had time to reflect back on my achievements and the memorable moments. The interesting thing is that it's not the legislative or political victories that bring a smile to my face, it's the personal moments with past and present members that touched my heart or taught me something that I will take with me long after I'm gone. I want to share a few of those with you today.

It's no secret in this building or across the state that I get along with members of both parties and have developed some close friendships with many Democrats. One of those friendships is with former State Senator Jeff Smith. Jeff was once a rising star not just in the Democratic Party – but in Missouri and perhaps national politics. He was smart, charismatic, and hard working. He had it all – well, except height – Jeff's so short he makes our majority leader look like a giant. Heck, he was even a movie star. But as we all know – Jeff's world came crumbling down – and he ended up doing time in prison for what he would admit were stupid mistakes.

I was one of the few people from the political world who visited Jeff in prison. So I go to visit him, and I'm asking Jeff how it is – and it's rough. Then I ask him who he's seen or talked to, and he tells me, "When I was in the Senate I had 4,000 contacts in my phone. – 4,000 friends, colleagues, constituents. People who I believed cared about me. But since my fall, only about 100 of those people have stayed in contact with me." I told him I was sorry, and his response surprised me. "Don't be sorry," he said. "It's one of the few positives of this whole thing." Before he went to prison, Jeff said he spent 95 percent of his time with the 3,900 people in his contact list that didn't truly care about him. But when he left, he knew he was going to spend 100 percent of his time with the people who truly did care about him and love him.

The reason I share this story is that we are all elected officials -- with important jobs – and with our responsibilities comes a list of people who want our time and attention. Your contact list has undoubtedly grown substantially since you started in this job. But do not lose track of the people who truly care about you for being you. I stand before you today with full knowledge that I lost track for a time and it's something I will always regret.

Don't let that happen to you. Focus your time on the people who love you for who you are, not for what title you attain.

Along those same lines, it wasn't long ago that one of our colleagues, Representative Colona, lost his mother to cancer. I remember getting the visitation schedule and thinking I was really busy and wasn't sure if I had time to go. But Mike is someone that I admire and respect and am honored to call my friend, so I made time. At the visitation, I was with Mike and his family and listening to the memorable times they had with their mom, but also acknowledging the sorrow of no longer having her in their lives.

As I left the visitation, I remember thanking God for still having my mother in my life. And it made me realize that since entering politics that I had not gone to see her nearly as often as I once did – or call as often as I should. In Mike's moment of loss, he taught me something I should have been smart enough to know on my own – and for that, Mike, I will always be grateful.

As Speaker, I've also been able to see great moments. It never ceases to amaze me how, as elected officials, we often have the chance to create a memorable moment in someone else's life – but that moment in turn becomes a memorable moment for us. I've had countless experiences like that – but one in particular stands out.

Last year, I invited a former member of the House from Poplar Bluff to come speak to the Republican caucus. The former member was Mark Richardson – our colleague Todd Richardson's father.

Now I've never been to an entire Democratic caucus meeting – so I'm not sure exactly how they go, but I'm confident they're not too different than ours. Most caucus meetings take place just before we go up to the floor to start the week – so everyone is ready to get the heck out the door before we even start.

But in comes Mark Richardson. I know many folks in our caucus knew little to nothing about him. But I also knew he was regarded by many as one of the best public servants they'd ever met – and that, boy could he ever tell a story. Mark stands in caucus and tells the story of how he was this close to becoming Speaker from the Minority Party.

Mark spoke for 30 minutes – and as I looked around the room everyone was on the edge of their seat. No one was checking their watch or their phone. No one was going in and out of the room. Todd's dad captured our entire caucus for 30 uninterrupted minutes with just his own ability to tell a story. As Mark finished, I glanced over at Todd. He didn't say anything but you could tell how proud he was of his father.

As we left caucus and proceeded upstairs, I grabbed Todd and his father and asked if they would join me at the dais. That day I got to witness Mark, a former member of the House who never served in the majority, be introduced by his son, who was presiding over the Missouri House of Representatives.

A few weeks later I received a thank-you letter from Mark that said, "You gave me one of the greatest moments of my life, and for that I will always be grateful." It's moments like these that make life special, and each of you have the ability to create those moments for people. I would encourage you to try as often as you can because when you reflect back, those moments will be just as special to you as they were to them.

With that, I want to leave you with a word of advice from a dear friend of mine – a person who is controversial on our side of the building. Yes, Jason Crowell.

When I first came here seven years ago, Senator Crowell gave me a piece of advice that I've carried with me ever since. He said, "Leave the building a better place than how you found it."

In seven years, I've done my best to foster bipartisanship – to calm the tone of debate – and to make friendships across the aisle. When I go back to private life, my fondest memories will not be the bills I helped pass or even the fights we won on the floor. Instead, it will be the moments of friendship I shared with both Republicans and Democrats – and both House members and Senate members.

This building wears us down. We come here from January to May, leaving our families behind, and often feel like we're fighting tooth and nail for everything against everyone. We have a tendency to get too caught up in the fights – and forget just how awesome it is to have the opportunity to be here serving the people. And how, despite our differences in opinion, we all share a commitment to public service that brings us together. Now, I'm not suggesting we spend the next four months holding hands. To do so would be to abandon our mission to represent our constituents. But let's always remember that our common commitment to service and doing what is best for our constituents outweighs even our genuine disagreements on policy.

As we go through this session, I ask that you remember the words of Senator Crowell: Leave this building better than you found it.

Thank you for your shared service. Let's have a great session. May God Bless the United States of America and the Great State of Missouri.

Speaker Pro Tem Schoeller assumed the Chair.

The Preamble and Article I of the Missouri State Constitution were read by members of the 96th General Assembly.

Pursuant to Section 9.141, RSMo, the Bill of Rights was read by Marilyn Seaton, Senior Journal Clerk, Office of the Assistant Chief Clerk.

HOUSE RESOLUTIONS

Representative Jones (89) offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

On motion of Representative Jones (89), **House Resolution No. 1** was adopted.

Representative Jones (89) offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-sixth General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Resolution No. 2** was adopted.

HOUSE CONCURRENT RESOLUTIONS

Representative Jones (89) offered **House Concurrent Resolution No. 1**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Tuesday, January 17, 2012, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-sixth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Concurrent Resolution No. 1** was adopted.

Representative Jones (89) offered **House Concurrent Resolution No. 2**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 18, 2012, to receive a message from the Honorable Richard B. (Rick) Teitelman, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Concurrent Resolution No. 2** was adopted.

HOUSE RESOLUTIONS

Representative Jones (89) offered House Resolution No. 3.

Representative Fuhr offered House Resolution No. 9 and House Resolution No. 10.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 4 through House Resolution No. 8

House Resolution No. 11 through House Resolution No. 13

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 3, introduced by Representative Scharnhorst, relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

HCR 4, introduced by Representative Gatschenberger, relating to the calling of a convention proposing amendments to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 39, introduced by Representatives Schoeller and Smith (150), relating to the general assembly.

HJR 40, introduced by Representatives Schoeller and Smith (150), relating to a fair ballot commission.

HJR 41, introduced by Representative Nasheed, relating to the term limit reform act.

HJR 42, introduced by Representative Sater, relating to the general assembly.

HJR 43, introduced by Representatives Burlison, Gatschenberger and Cox, relating to the commonsense obligation to provide accountability and spending stabilization act.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1029, introduced by Representatives Flanigan and Allen, relating to the oversight subcommittee of the committee on legislative research.

HB 1030, introduced by Representatives Flanigan and Allen, relating to amnesty for certain taxes.

HB 1031, introduced by Representatives Flanigan and Allen, relating to amnesty for certain taxes.

HB 1032, introduced by Representative Allen, relating to adoption investigations.

HB 1033, introduced by Representative Allen, relating to supplemental breast cancer screening.

HB 1035, introduced by Representatives Swinger and Kelley (126), relating to an income tax deduction for storm shelters.

HB 1036, introduced by Representative Dugger, relating to political party emblems on ballots.

HB 1037, introduced by Representative Dugger, relating to the compensation of road district commissioners.

HB 1038, introduced by Representative Leara, relating to distribution of local sales taxes.

HB 1039, introduced by Representative Leara, relating to the Missouri local government employees' retirement system.

HB 1040, introduced by Representative Hinson, relating to emergency vehicles.

HB 1041, introduced by Representative Thomson, relating to the transfer of property by the governing boards of certain state universities.

HB 1042, introduced by Representative Thomson, relating to duties prescribed to the coordinating board for higher education.

HB 1043, introduced by Representative Thomson, relating to state funding for elementary and secondary education.

HB 1044, introduced by Representative Weter, relating to motor fuel prices.

HB 1045, introduced by Representative Day, relating to concealed carry endorsements.

HB 1046, introduced by Representative Rowland, relating to declarations of candidacy.

HB 1047, introduced by Representative Rowland, relating to common interest owners bill of rights act.

HB 1048, introduced by Representative Schneider, relating to school directors in urban districts.

HB 1049, introduced by Representatives Allen and Flanigan, relating to school safety.

HB 1050, introduced by Representative Molendorp, relating to insurance coverage for certain services.

HB 1051, introduced by Representatives Allen, Flanigan and Stream, relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies.

HB 1052, introduced by Representatives Allen and Flanigan, relating to primary elections.

HB 1053, introduced by Representatives Lant, Flanigan and Reiboldt, relating to prevailing wages.

HB 1054, introduced by Representatives Lant and Reiboldt, relating to unlawful picketing of a funeral.

HB 1055, introduced by Representatives Lant, Flanigan and Reiboldt, relating to an income tax deduction for storm shelters.

HB 1056, introduced by Representatives Lant and Reiboldt, relating to a surcharge on recreational activities for emergency services purposes.

HB 1057, introduced by Representative Brattin, relating to inmate charges for medical treatment at correctional facilities.

HB 1058, introduced by Representative Brattin, relating to newborn screenings.

HB 1059, introduced by Representative Dugger, relating to recounts of votes.

HB 1060, introduced by Representative Dugger, relating to elections.

HB 1061, introduced by Representatives Flanigan and Allen, relating to the issuance of economic development bonds.

HB 1062, introduced by Representatives Dieckhaus and Lampe, relating to school accountability.

HB 1063, introduced by Representative Conway, relating to the designation of the official state exercise.

HB 1064, introduced by Representative McGhee, relating to scrap metal operators.

HB 1065, introduced by Representative McGhee, relating to certain parties being allowed to prosecute their claims and defenses without the assistance of an attorney.

HB 1066, introduced by Representative McGhee, relating to unemployment compensation.

HB 1067, introduced by Representative McGhee, relating to the duties of the board of probation and parole.

HB 1068, introduced by Representative McGhee, relating to the Missouri state park board.

HB 1069, introduced by Representative McGhee, relating to a tax credit for processed biomass engineered fiber fuel.

HB 1070, introduced by Representative Sater, relating to legend drugs.

HB 1071, introduced by Representative Sater, relating to radon awareness during real estate transactions.

HB 1072, introduced by Representative Sater, relating to the volunteer health services act.

HB 1073, introduced by Representative Sater, relating to the Missouri grain dealer law.

HB 1074, introduced by Representative Sater, relating to uninsured motorist insurance coverage.

HB 1075, introduced by Representative Sater, relating to pharmacies.

HB 1076, introduced by Representative Wyatt, relating to renewable energy resources in state parks.

HB 1077, introduced by Representative Wyatt, relating to developmental disabilities facilities.

HB 1078, introduced by Representative Sater, relating to MO HealthNet dental benefits.

HB 1079, introduced by Representative Sater, relating to heritage birth certificates and heritage marriage certificates.

HB 1080, introduced by Representatives Kander, Lampe, Aull, Schupp, Still and Ellinger, relating to ethics.

HB 1081, introduced by Representatives Wells, Rowland, Wright and Kelley (126), relating to prescription eye drop refills.

HB 1082, introduced by Representatives Wells, Rowland and Wright, relating to licensed professional counselors.

HB 1083, introduced by Representatives Wells, Dugger, Wright, Kelley (126), Rowland and Phillips, relating to text messaging while operating motor vehicles.

HB 1084, introduced by Representatives White, Davis, Kelley (126), Curtman and Brown (116), relating to donated goods.

HB 1085, introduced by Representatives White, Kelley (126), Schad, Solon, Brown (116) and Davis, relating to excursion gambling boat admission fees.

HB 1086, introduced by Representatives White, Davis and Kelley (126), relating to labor organizations.

HB 1087, introduced by Representatives White, Davis, Kelley (126), Curtman, Jones (117) and Brown (116), relating to the adult health care consent act.

HB 1088, introduced by Representatives White, Jones (117), Brown (116), Davis and Schoeller, relating to adoption proceedings.

HB 1089, introduced by Representatives White, Kelley (126), Schad, Davis and Schoeller, relating to prevailing wages.

HB 1090, introduced by Representatives White, Kelley (126), Schad, Davis and Schoeller, relating to the prevailing wage on low-income housing.

HB 1091, introduced by Representatives White, Schad, Kelley (126), Davis and Schoeller, relating to wages for work done on behalf of a school.

HB 1092, introduced by Representatives White, Davis and Schoeller, relating to tax changes for areas affected by natural disasters.

HB 1093, introduced by Representatives Elmer, Fitzwater, Lant, White, Reiboldt, Cauthorn, Jones (117) and Guernsey, relating to a special Navy Cross license plate.

HB 1094, introduced by Representative Wieland, relating to the acceptance of electronic payments by the office of administration.

HB 1095, introduced by Representative Wieland, relating to long-term care insurance rates.

HB 1096, introduced by Representative Wieland, relating to county health centers.

HB 1097, introduced by Representatives Shumake, Kelley (126), Wright and Gatschenberger, relating to driver's license veteran designations.

HB 1098, introduced by Representatives Shumake, Kelley (126), Wright and Gatschenberger, relating to the resale of donated goods for charitable purposes.

HB 1099, introduced by Representatives Fitzwater, Lasater, Elmer, Cookson and Conway (27), relating to the designation of veterans of operation Iraq/enduring freedom day.

HB 1100, introduced by Representatives Fitzwater, Conway (27), Lichtenegger, Lasater, Elmer, Cookson, Schad, Asbury, Fuhr, Davis, Brattin, Diehl, Cross, Hampton, Cauthorn, Molendorp, Schoeller, Redmon, Smith (150) and Wieland, relating to the designation of Vietnam veterans day.

HB 1101, introduced by Representatives Brattin, Koenig, White, McGhee and Bahr, relating to the implementation of the streamlined sales and use tax agreement.

HB 1102, introduced by Representative Swinger, relating to persons required to report child abuse and neglect.

HB 1103, introduced by Representatives Crawford and Wyatt, relating to certain notices required by the Missouri appraisal management company registration and regulation act.

HB 1104, introduced by Representatives Schoeller and Smith (150), relating to elections.

HB 1105, introduced by Representative Day, relating to the state militia.

HB 1106, introduced by Representative Dugger, relating to elections.

HB 1107, introduced by Representatives Dugger, Wells, Rowland and Pollock, relating to the designation of a highway.

HB 1108, introduced by Representatives Lauer, Riddle, Allen, Diehl, Schoeller, Gosen, Davis, White and Cross, relating to caller location information.

HB 1109, introduced by Representatives Brattin, Bahr, Davis, Berry, Curtman, Pollock and White, relating to federal holidays.

HB 1110, introduced by Representative Barnes, relating to drug courts.

HB 1111, introduced by Representative Gosen, relating to the towing and storage of abandoned vehicles.

HB 1112, introduced by Representative Gosen, relating to life insurance companies.

HB 1113, introduced by Representatives Gosen and Wieland, relating to contracts for construction work.

HB 1114, introduced by Representative Weter, relating to emergency service boards.

HB 1115, introduced by Representatives McCaherty and Nolte, relating to forms provided by the department of revenue.

HB 1116, introduced by Representative Brown (50), relating to land tax collection.

HB 1117, introduced by Representative Brown (50), relating to the Missouri and Midwest High-Speed Rail Commission.

HB 1118, introduced by Representative Brown (50), relating to traffic violations.

HB 1119, introduced by Representatives Wells, Dugger, Wells, Kelley (126), Rowland, Phillips and Schad, relating to weight restrictions on vehicles hauling milk.

HB 1120, introduced by Representatives Wells, Dugger, Wells, Kelley (126), Wright, Rowland, Phillips and Schad, relating to military appreciation highway signs.

HB 1121, introduced by Representative Kander, relating to financial interest statements.

HB 1123, introduced by Representative Frederick, relating to hospital licensure.

HB 1124, introduced by Representative Wieland, relating to insurance payments for covered loss or damage.

HB 1125, introduced by Representative McCaherty, relating to property damage in the first degree.

HB 1126, introduced by Representative Largent, relating to tax credits for freight line companies.

HB 1127, introduced by Representative Largent, relating to crime scene photographs and video recordings.

HB 1128, introduced by Representative Largent, relating to military honors.

HB 1129, introduced by Representative Largent, relating to deceptive advertising practices.

HB 1130, introduced by Representative Brown (50), relating to the distressed areas land assemblage tax credit act.

HB 1131, introduced by Representative Fisher, relating to contents of a withholding form.

HB 1132, introduced by Representative Barnes, relating to special license plates.

HB 1133, introduced by Representative Barnes, relating to an income tax deduction for educational expenses.

HB 1134, introduced by Representative Scharnhorst, relating to insurance coverage for physical therapy services.

HB 1135, introduced by Representatives Smith (150), Brattin, Wieland, Diehl, Schoeller, Jones (89) and Koenig, relating to the review of state administrative rules.

HB 1136, introduced by Representative Molendorp, relating to use of tobacco products in state correctional facilities.

HB 1137, introduced by Representatives Lauer, Higdon, Klippenstein, Brown (116), Shumake, White, Stream, Franklin, Schoeller and Wieland, relating to adoption records.

HB 1138, introduced by Representatives Smith (150), Schoeller and Koenig, relating to retirement benefits.

HB 1139, introduced by Representative Gatschenberger, relating to the Missouri state employees incentives.

HB 1140, introduced by Representatives Smith (150), Wieland, Diehl, Funderburk, Koenig and Brown (116), relating to the Missouri accountability portal.

HB 1141, introduced by Representatives Gatschenberger, Bahr and Korman, relating to the Don't Tread on Me license plate.

HB 1142, introduced by Representative Gatschenberger, relating to private probation services.

HB 1143, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1144, introduced by Representative Gatschenberger, relating to the Life and Health Insurance Guaranty Association.

HB 1145, introduced by Representative Gatschenberger, relating to child care.

HB 1146, introduced by Representatives Gatschenberger and Korman, relating to exempting the intrastate manufacture of certain incandescent lightbulbs from federal regulation.

HB 1147, introduced by Representatives Gatschenberger, McCaherty, Brown (116), Fisher, Smith (150), Korman and Kelley (126), relating to driver's license examinations.

HB 1148, introduced by Representative Gatschenberger, relating to the use of hand-held electronic wireless communications devices while driving.

HB 1149, introduced by Representatives Gatschenberger and Fisher, relating to driver's license examination fees.

HB 1150, introduced by Representatives Smith (150), Frederick and Schad, relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

HB 1151, introduced by Representative Gatschenberger, relating to the powers and duties of the Missouri electrical industry licensing board.

HB 1152, introduced by Representative Burlison, relating to the children in crisis tax credit.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1143**.

SENATE RESOLUTION NO. 1143

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Ninety-sixth General Assembly is duly convened and is now in session and ready for consideration of business.

COMMITTEE APPOINTMENTS

December 2, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Scott Dieckhaus as a member of the Committee on Financial Institutions and appoint Representative Noel Torpey and Representative Dave Hinson as members.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

December 2, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Sheila Solon as a member of the Transportation Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint the following members to the Committee on Elementary and Secondary Education:

Representative Doug Funderburk
Representative Kurt Bahr
Representative Mike Leara
Representative Mike Cierpiot
Representative Jay Barnes

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Scott Dieckhaus as a member of the Committee on Appropriations - Education and appoint Representative Jeanie Lauer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 3, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representatives Chris Carter and Ira Anders to the Committee on Elementary and Secondary Education.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 3, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Sylvester Taylor to the Utilities Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 4, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Lindell Shumake as a member of the Committee on Elementary and Secondary Education and appoint Representative Dwight Scharnhorst as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 4, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Lindell Shumake as a member of the Committee on Children and Families.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 4, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative John Diehl as a member of the Committee on Economic Development.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

COMMUNICATION

January 4, 2012

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband, Dr. Jon Hagler, is the Director of the Missouri Department of Agriculture; and some of the legislation or amendments that I will be voting on may have an impact on our household.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this disclosure in the Journal of the House.

Sincerely,

/s/ Linda Black
District 107

WITHDRAWAL OF HOUSE BILLS

December 6, 2011

Chief Clerk's Office,

I formally request to withdraw **House Bill No. 1034**. If you need anything further in this matter, please contact my office.

Thank you,

/s/ Sue Allen
District 92

TO: Assistant to the Chief Clerk

FROM: Representative Keith Frederick

DATE: December 29, 2011

SUBJECT: Bill withdrawal

Due to additional changes to the language of the legislation, Representative Keith Frederick wishes to withdraw **House Bill No. 1122**.

The following members' presence was noted: Carter, McNary, Meadows and Smith (71).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 5, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, January 10, 2012, 8:00 AM House Hearing Room 1.
Foundation formula presentation.

APPROPRIATIONS - EDUCATION

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued
Please call Gregg at 751-2917 to schedule a public testimony time slot.

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, January 9, 2012, 9:00 AM House Hearing Room 3.

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, January 10, 2012, 11:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting.
Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.
Continuation of forum to discuss I-70.
Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch

HOUSE CALENDAR

SECOND DAY, THURSDAY, JANUARY 5, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 3 and HCR 4

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 39 through HJR 43

HOUSE BILLS FOR SECOND READING

- 1 HB 1029 through HB 1033
- 2 HB 1035 through HB 1121
- 3 HB 1123 through HB 1152

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 5, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will lift up mine eyes unto the hills, from whence cometh my help. (Psalm 121:1)

O God, Who is ever near and ever ready to help those who put their trust in You, clear our vision and strengthen our hearts as we wait upon You. Deliver us from doubt, free us from fear, and save us from the spirit that promotes confusion and disunity.

Help us to turn away from all movements which would stifle the liberties of free people and lead us into the fresh air of freedom, justice, and good will. By Your grace may we and our state live in this high moral climate all our days - so shall we be true children of Yours and so shall we serve well the citizens of our beloved Show Me State.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sarah Grisamore, Gracie Grisamore, Angela Grisamore, Isaac Conroy, Nathan Conroy and Ashley Conroy.

The Journal of the first day was approved as printed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach

Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Barnes	Funderburk	Keeney	Kelly 24
Nolte	Smith 150	Weter		

VACANCIES: 004

HOUSE RESOLUTION

Representative Smith (71), et al., offered House Resolution No. 31.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 14 through House Resolution No. 30
House Resolution No. 32 through House Resolution No. 50

HOUSE CONCURRENT RESOLUTIONS

Representative Rowland, et al., offered House Concurrent Resolution No. 5 and House Concurrent Resolution No. 6.

Representative Rowland offered House Concurrent Resolution No. 7.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3 and **HCR 4** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 39 through **HJR 43** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1029 through **HB 1033**, **HB 1035** through **HB 1121**, and **HB 1123** through **HB 1152** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 3 - Budget

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 43 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1029 - Budget
HB 1043 - Elementary and Secondary Education
HB 1093 - Transportation
HB 1104 - Elections
HB 1135 - Downsizing State Government
HB 1140 - Downsizing State Government

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 44, introduced by Representatives Cox, Tilley, Fuhr, Klippenstein, Asbury, Lant, Davis, Rowland, Frederick, Schad, Cross, Houghton, Allen, Cauthorn, Brown (116), Koenig, Bahr, Schoeller, Fitzwater, Redmon, White, Smith (150), Hoskins, Gatschenberger, Day and Lair, relating to nonpartisan judicial commissions.

HJR 45, introduced by Representatives Solon, Tilley, Torpey, Cauthorn, Korman, Kelly (24), Lasater, Higdon, Wallingford, Hubbard, Fisher, Haefner, Nichols, Lichtenegger, Lant, Davis, White, Dieckhaus, Berry, Long, Denison, Houghton, Wyatt, Ruzicka, Nolte and Rowland, relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1153, introduced by Representatives Cox and Crawford, relating to the perfection of security interests.

HB 1154, introduced by Representatives Brandom, Lauer, Smith (150) and Frederick, relating to donated food tax credits.

HB 1155, introduced by Representatives Denison, Pollock, Solon, Wells, Hughes, Fallert, Hinson, Lasater, Cross, Long, Cookson, Houghton, Phillips and Stream, relating to commercial driver's licenses.

HB 1156, introduced by Representatives Rowland, Phillips, Denison, Shumake and Redmon, relating to the designation of a memorial highway.

HB 1157, introduced by Representatives Rowland, Phillips, Sater, Wells, Redmon, Shumake and Cookson, relating to teacher contracts.

HB 1158, introduced by Representatives Solon, Fisher, Houghton, Denison, Lasater, Schad and Hubbard, relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

HB 1159, introduced by Representatives Solon, Schupp, Denison and Hubbard, relating to the senior's retirement protection act.

HB 1160, introduced by Representatives Solon, Cauthorn, Korman, Wallingford, Lasater, Higdon, Fisher, Haefner, Nichols, Lant, Lichtenegger, Davis, White, Berry, Long, Schupp, Houghton, Wyatt, Ruzicka, Nolte, Denison, Rowland and Hubbard, relating to an additional admission fee for excursion gambling boat licensees to fund veterans commission capital improvements.

HB 1161, introduced by Representatives Solon, Kelly (24), Fisher, Haefner, Higdon, Nichols, Davis, Lant, White, Berry, Long, Houghton, Wyatt, Ruzicka, Cauthorn, Nolte and Rowland, relating to veterans' commission capital improvements funding.

HB 1162, introduced by Representatives Solon, Fisher, Korman, Wyatt, Higdon, Klippenstein, Leara, Nolte, Denison and Rowland, relating to solid waste services.

HB 1163, introduced by Representatives Solon, Fisher, Korman, Wyatt, Higdon, Klippenstein, Leara, Nolte, Denison and Rowland, relating to solid waste collection.

HB 1164, introduced by Representatives Solon, Fisher, Houghton and Denison, relating to job retention.

HB 1165, introduced by Representative Diehl, relating to qualified spousal trusts.

HB 1166, introduced by Representative Diehl, relating to trust protectors.

HB 1167, introduced by Representatives Wright, Franklin, Fisher, Wells, Shumake, Sater, White, Rowland, Schieffer, Tilley, Phillips, Schneider, Hampton, Jones (89), Gatschenberger, Black, Kratky, Casey, Meadows, Fallert, Shively, Hughes, Swinger, Grisamore, McGhee, Brown (50), Zerr, Stream, Lair and Brandom, relating to the reporting of missing and dead children.

HB 1168, introduced by Representative Franz, relating to the purchasing of information technology products and services.

HB 1169, introduced by Representative Franz, relating to spanking in schools.

HB 1170, introduced by Representative Franz, relating to property tax assessment.

HB 1171, introduced by Representative Franz, relating to juvenile court jurisdiction.

HB 1172, introduced by Representative Franz, relating to tax credits for certain contributions.

HB 1173, introduced by Representative Franz, relating to workers' compensation.

HB 1174, introduced by Representatives Lair, Fisher, Grisamore, Pierson, Koenig, Reiboldt, Kelley (126), Brattin, Stream, Wright and Phillips, relating to school accreditation.

HB 1175, introduced by Representatives Lair, Fisher, Grisamore, Pierson, Koenig, Reiboldt, Kelley (126), Brattin, Stream, Wright, Phillips and Schatz, relating to early parole of geriatric inmates.

HB 1176, introduced by Representative Schoeller, relating to prevailing wages.

HB 1177, introduced by Representatives Phillips, Rowland and Sater, relating to county officer compensation.

HB 1178, introduced by Representatives Phillips, Rowland and Sater, relating to the conservation commission.

HB 1179, introduced by Representatives Hampton, Richardson, Cookson, Long, Swinger, Hodges and Wright, relating to major water users.

HB 1180, introduced by Representative Parkinson, relating to tort actions for damages.

HB 1181, introduced by Representative Parkinson, relating to the transparency in private attorney contracts act.

HB 1182, introduced by Representative Parkinson, relating to an income tax exemption for certain elections employees.

HB 1183, introduced by Representative Parkinson, relating to statewide presidential primaries.

HB 1184, introduced by Representative Parkinson, relating to motor vehicle financial responsibility.

HB 1185, introduced by Representatives Parkinson and Kelley (126), relating to possible deportation of aliens who are listed in the state sexual offender registry.

HB 1186, introduced by Representatives Parkinson and Kelley (126), relating to drivers' examinations.

HB 1187, introduced by Representatives Parkinson and Kelley (126), relating to temporary assistance for needy families.

HB 1188, introduced by Representatives Allen, Richardson, Koenig, Houghton and Flanigan, relating to the administration of asthma related rescue medication by school nurses.

HB 1189, introduced by Representatives Allen, Zerr, Lichtenegger and Flanigan, relating to pawnbrokers.

HB 1190, introduced by Representatives Allen, Koenig, Lichtenegger, Richardson, Houghton and Flanigan, relating to police records.

HB 1191, introduced by Representative Ruzicka, relating to the state park earnings fund.

HB 1192, introduced by Representatives Koenig, Schoeller, White, Brown (116), Davis, Higdon, Allen, Rowland, Houghton, Wieland, Brattin, Tilley, Stream, Fisher, Lair and Cross, relating to the Missouri higher education savings program.

HB 1193, introduced by Representatives Frederick, Tilley, Brandom, Smith (150), Jones (89), Nance, Schatz, Houghton, Fitzwater, Swearingen, Meadows and Sater, relating to a prescription drug monitoring program.

HB 1194, introduced by Representatives Cauthorn, Reiboldt, Loehner, Asbury and Guernsey, relating to agricultural crimes.

HB 1195, introduced by Representatives Cauthorn, Reiboldt, Loehner, Asbury and Guernsey, relating to agricultural crimes.

HB 1196, introduced by Representatives Cauthorn, Reiboldt, Cox, Wallingford, Loehner, Schoeller, Asbury and Guernsey, relating to an owner's liability for death or injury to a trespasser.

COMMITTEE APPOINTMENT

January 5, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Dwight Scharnhorst as a member of the Committee on Economic Development and appoint Representative Noel Torpey and Representative Marsha Haefner as members.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

WITHDRAWAL OF HOUSE BILL

January 5, 2012

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Ave.
Jefferson City, MO 65101

Mr. Crumbliss:

I hereby withdraw **House Bill No. 1061**. Please contact me if you have questions.

Regards,

/s/ Tom Flanigan
District 127

The following members' presence was noted: Barnes and Nolte.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, January 9, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, January 10, 2012, 8:00 AM House Hearing Room 1.
Foundation formula presentation.

APPROPRIATIONS - EDUCATION

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, January 9, 2012, 12:00 PM House Hearing Room 5.
CORRECTED

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.
CORRECTED

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, January 10, 2012, 11:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting.
Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.

Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

JUDICIARY

Wednesday, January 11, 2012, House Hearing Room 1 Upon Morning Adjournment.

Executive session may be held on any matter referred to the committee.

ORGANIZATIONAL MEETING

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 9, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 44 and HJR 45

HOUSE BILLS FOR SECOND READING

HB 1153 through HB 1196

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRD DAY, MONDAY, JANUARY 9, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

Dear LORD, Your servant John heard the song: *Great and marvelous are Your works, O Lord God, the Almighty; Righteous and true are Your ways, King of the nations! Who will not fear, O Lord, and glorify Your name? For You alone are holy; For all the nations will come and worship before You, for Your righteous acts have been revealed* (Revelation 15:3-4).

Father, may this be the acknowledgment of each person here. That You are almighty; that You are righteous and true; that You are the Sovereign One over all the nations; that You alone are holy.

May these thoughts, O LORD, bring about a spirit of humility in each one of Your servants here. May this chamber be known as a chamber of service. May each person consider the good of the state, rather than the good of themselves. May each person think more highly of all people, rather than thinking others are beneath them. And may we all be reminded that You are the King of Kings.

I do pray for the wisdom and needed discernment as they look at legislation. More importantly, Father, I pray for the wisdom and needed patience as they interact and work with the people in their respective districts. You have called these leaders "Your diaconos," "Your servants for good" in Romans 13; may they truly carry out Your designs for government leaders.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the second day was approved as printed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer

Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Diehl	Ellinger	Grisamore	Haefner	Hughes
Leara	Lichtenegger	Nance	Nolte	Wright

VACANCIES: 004

HOUSE RESOLUTION

Representative Cierpiot offered House Resolution No. 88.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 51 through House Resolution No. 87

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 44 and **HJR 45** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1153 through **HB 1196** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 46, introduced by Representative Day, relating to the state board of education.

HJR 47, introduced by Representative Dugger, relating to initiative and referendum petitions.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1197, introduced by Representative Kelly (24), relating to the implementation of the streamlined sales and use tax agreement.

HB 1198, introduced by Representatives Fisher, Franz, Reiboldt, Lant and Lair, relating to prevailing wages on public work projects.

HB 1199, introduced by Representatives Sifton, Jones (63) and Still, relating to maternity health insurance coverage.

HB 1200, introduced by Representatives Sifton, McNeil and Kirkton, relating to the Missouri homestead preservation act.

HB 1201, introduced by Representative Sifton, relating to the Compact for Education.

HB 1202, introduced by Representative Franz, relating to the salary of juvenile court employees.

HB 1203, introduced by Representative Franz, relating to county inmate work and service programs.

HB 1204, introduced by Representative Franz, relating to unlawful picketing of a funeral.

HB 1205, introduced by Representative Franz, relating to employee rights.

HB 1206, introduced by Representative Barnes, relating to student interscholastic activities.

HB 1207, introduced by Representative Barnes, relating to bed bug control for multifamily rental dwelling units.

HB 1208, introduced by Representative Barnes, relating to termination of parental rights and child support.

HB 1209, introduced by Representative Cox, relating to tax credits for qualified film production projects.

HB 1210, introduced by Representatives Gatschenberger and Hinson, relating to debt setoffs for unpaid healthcare expenses.

HB 1211, introduced by Representatives Dieckhaus, Curtman, Hinson and Schatz, relating to authorizing establishment of a municipal court by a county.

HB 1212, introduced by Representatives Smith (150), Neth, Wells, Brown (116), Houghton and Hough, relating to weight limitations for vehicles hauling livestock and agricultural products.

HB 1213, introduced by Representatives Franklin, White, Wyatt, Lant, Cauthorn, Davis and Reiboldt, relating to fee office contracts.

HB 1214, introduced by Representatives Torpey, Scharnhorst, Molendorp, Largent, Berry and McGhee, relating to resources for the development of businesses.

HB 1215, introduced by Representatives McNeil, Funderburk, Kirkton, Ellinger, Nichols, Walton Gray, Still, Webber, Newman, Carlson, Pace, Atkins, Oxford, White, McGhee, Webb, Carter, Schupp, Hummel, McCann Beatty, Entlicher, Schad and Davis, relating to the implementation of the streamlined sales and use tax agreement.

HB 1216, introduced by Representatives McNeil, Wallingford, Nichols, Carlson, Schupp, Pace, Walton Gray and Ellinger, relating to funding for research projects by the University of Missouri board of curators.

HB 1217, introduced by Representatives McNeil, Carlson, Walton Gray, Webb, Ellinger, Spreng and Pierson, relating to school district corporate organization.

HB 1218, introduced by Representatives McNeil, Schupp, Pace, Walton Gray, Sifton, Webb, Carter, Ellinger, Hummel, Spreng and McGhee, relating to senior citizens property tax relief.

COMMITTEE APPOINTMENTS

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Kander from the Committee on Budget and appoint him to the Committee on Small Business.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative McManus to the Committee on Budget and remove him from the Committee on General Laws.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Montecillo from the Committee on International Trade and Job Creation.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Holsman to the Committee on Rules and remove him from the Committee on International Trade and Job Creation.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Hummel to the Committee on Rules.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Jonas Hughes from the Committees on Small Business and Downsizing State Government.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

COMMUNICATION

January 5, 2012

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Re: Possible Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am filing a written report of a possible personal interest in legislation on which the House of Representatives may vote on. My wife, Mary Conway is a court reporter and her salary is contained in the State Courts Administrator Budget.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you.

Sincerely,

/s/ Pat Conway
Representative
District 27

The following members' presence was noted: Diehl, Grisamore and Nance.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, January 10, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, January 10, 2012, 8:00 AM House Hearing Room 1.
Foundation formula presentation.

APPROPRIATIONS - EDUCATION

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 11, 2012, 8:45 AM North Gallery.
Organizational meeting and discussion of veteran homes.

BUDGET

Wednesday, January 11, 2012, House Hearing Room 3 Upon Morning Adjournment.
Public hearing will be held: HJR 43
Executive Session will be held: HJR 43
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Tuesday, January 10, 2012, 9:00 AM House Hearing Room 5.
Public hearing will be held: HB 1140, HB 1135
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Wednesday, January 11, 2012, 9:00 AM House Hearing Room 5.
Executive Session will be held: HB 1135, HB 1140
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.
CORRECTED

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, January 10, 2012, 11:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting.
Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.

Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

JUDICIARY

Wednesday, January 11, 2012, House Hearing Room 1 Upon Morning Adjournment.

Executive session may be held on any matter referred to the committee.

ORGANIZATIONAL MEETING

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 10, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 46 and HJR 47

HOUSE BILLS FOR SECOND READING

HB 1197 through HB 1218

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FOURTH DAY, TUESDAY, JANUARY 10, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Marilyn Seaton.

Let us pray, Lord, we do not understand the intricate pattern of the stars in their courses, but we know that You Who created them does, and that just as surely as You guide them, You are charting a safe course for us. Amen.

The Pledge of Allegiance to the flag was recited.

OATH OF OFFICE

Representatives-elect Chrissy Sommer, Judy Morgan, Brandon Ellington and Tracy McCreery advanced to the bar and subscribed to the Oath of Office, which was administered by the Honorable Steven Tilley, Speaker of the Missouri House of Representatives.

Speaker Pro Tem Schoeller assumed the Chair.

The Journal of the third day was approved as printed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan

Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Carlson	Ellinger	Franz	Grisamore	Haefner
Webber				

SPECIAL RECOGNITION

The Troy Buchanan High School Future Farmers of America Teams were introduced by Representative Schieffer and recognized for their participation in the 2011 National Competition.

The Troy Buchanan High School Lady Trojan Softball Team was introduced by Representative Schieffer and recognized for attaining first place in the 2011 Missouri State High School Association Class 4 State Championship.

HOUSE RESOLUTIONS

Representative McGhee offered House Resolution No. 89.

Representative Zerr offered House Resolution No. 93.

Representative Kirkton offered House Resolution No. 106.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 90 through House Resolution No. 92

House Resolution No. 94 through House Resolution No. 105

House Resolution No. 107 through House Resolution No. 115

HOUSE CONCURRENT RESOLUTION

Representative Curtman, et al., offered House Concurrent Resolution No. 9.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 46 and **HJR 47** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1197 through **HB 1218** were read the second time.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 8, introduced by Representatives Guernsey, Thomson, Ruzicka, Cauthorn, Higdon, Klippenstein, Zerr, Smith (150), Hampton, Dugger and Wells, relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 48, introduced by Representatives Phillips, Houghton and Rowland, relating to the conservation commission.

HJR 49, introduced by Representatives Brattin, Franz, Kelley (126), McGhee, Bahr, Gatschenberger, Davis, Asbury, Curtman, Pollock, Schad, Fitzwater, Frederick, Schoeller, Koenig, Brown (116), Lichtenegger, Barnes, Cauthorn, Molendorp, Hoskins, White, Smith (150), McCaherty, Leach, Wieland, Houghton, Riddle, Burlison, Lair, Grisamore, Richardson, Long, Guernsey, Redmon, Schatz, Phillips, Allen, Silvey, Franklin, Tilley, Conway (14) and Johnson, relating to the right to bear arms.

HJR 50, introduced by Representatives Cauthorn, Reiboldt and Davis, relating to the Veterans' Trust Fund.

HJR 51, introduced by Representative Ruzicka, relating to the conservation commission.

HJR 52, introduced by Representative Ruzicka, relating to bird, fish, game, wildlife, or forestry resources.

HJR 53, introduced by Representative Neth, relating to term limits.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1219, introduced by Representatives Elmer, Diehl, Fraker, Korman, Long, Schoeller, Fuhr, Richardson, Cox, Hoskins, Jones (117), Guernsey, Crawford, Higdon, Jones (89), McNary and Wallingford, relating to unlawful discriminatory practices.

HB 1220, introduced by Representatives Hubbard, Nasheed, Spreng, Kelly (24), Pierson, Schupp, Walton Gray, Pace, Conway (14), Taylor, Colona, Tilley, Cox, Schoeller, Brown (50) and Torpey, relating to a pilot project for increasing children's access to incarcerated mothers.

HB 1221, introduced by Representatives Black, Fallert, Harris, Hodges, Swinger, Kratky, McGhee, Molendorp, Long, Kelley (126), Fitzwater and Klippenstein, relating to the designation of a memorial highway.

HB 1222, introduced by Representatives Brattin, Kelley (126), Fitzwater, Leach, Wieland, Allen and Davis, relating to the state budget.

HB 1223, introduced by Representatives Brattin, Smith (150) and Allen, relating to inmates in correctional facilities.

HB 1224, introduced by Representatives Brattin, Kelley (126), Wieland, Lichtenegger and Davis, relating to illegal immigration.

HB 1225, introduced by Representatives Brattin, Kelley (126), Smith (150), Wallingford, Davis, McCaherty, Leach, Pollock, Smith (71), Curtman, Johnson and Lichtenegger, relating to members of the general assembly.

HB 1226, introduced by Representatives Brattin and Lichtenegger, relating to retirement benefits for members of the general assembly.

HB 1227, introduced by Representatives Brattin, McCaherty, Davis, Koenig, Allen and Pollock, relating to standard science instruction.

HB 1228, introduced by Representatives Jones (63), Cookson, Dieckhaus, Talboy, Schoeller, Nasheed, Jones (89), Carter and Tilley, relating to charter schools.

HB 1229, introduced by Representatives Curtman, Koenig, White and Houghton, relating to public lectures at certain institutions of higher education.

HB 1230, introduced by Representatives Schoeller, Reiboldt, Bahr, Lichtenegger, Schad, Rowland, Fuhr, Houghton, Cauthorn, Klippenstein, Lant, Davis, Richardson, White, Kelley (126) and Elmer, relating to labor organizations.

HB 1231, introduced by Representatives Cauthorn, Kelly (24), Davis, Fitzwater and Day, relating to state purchasing.

HB 1232, introduced by Representatives McManus, Newman and Hummel, relating to online identity theft.

HB 1233, introduced by Representatives McManus, Hummel, Hodges, Carter, Conway (27), Newman, Fallert, Black, Oxford and Torpey, relating to tax credits for donated food.

HB 1234, introduced by Representatives Berry and Kelley (126), relating to personal flotation devices.

HB 1235, introduced by Representatives Berry, Brattin, Fitzwater, Cierpiot, Redmon, Asbury, Torpey and Molendorp, relating to election authority duties.

HB 1236, introduced by Representatives Entlicher, Dugger, Diehl and Schupp, relating to third party candidates.

HB 1237, introduced by Representatives Nance and Brown (50), relating to the sale of lottery tickets.

HB 1238, introduced by Representatives Nance, Kelley (126), Oxford and Barnes, relating to eligibility for food stamps.

HB 1239, introduced by Representatives Nance, Wells, Bahr, McCaherty and Wieland, relating to real property taxation.

HB 1240, introduced by Representatives Pace, Carter, Jones (63), Hubbard, McGeoghegan, Spreng, Walton Gray, Taylor, Colona, Kirkton, Schupp, Carlson, McNeil, Schieffer, Hummel, May, Smith (71), Ellinger, Pierson, Oxford, Atkins, Montecillo, Anders, Brown (50), Webb, Casey, Tilley, Swearingen, Stream, Higdon, Denison and Brown (116), relating to use of credit scores by prospective employers.

HB 1241, introduced by Representatives Wells, Pollock, Dugger, Rowland, Davis, Weter, Denison, Entlicher, Neth and Brown (116), relating to excursion gambling boat admission fees.

HB 1242, introduced by Representative Day, relating to the motorcycle rider training course.

HB 1243, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Brown (116) and Lair, relating to job training programs.

HB 1244, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Brown (116) and Lair, relating to municipal technology business facility projects.

HB 1245, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Brown (116) and Lair, relating to the Missouri quality jobs act.

HB 1246, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Brown (116) and Lair, relating to job development.

HB 1247, introduced by Representatives Webber, Carter, Schupp and Still, relating to license plates for members of the general assembly.

HB 1248, introduced by Representative Webber, relating to designation of tax refunds to the Missouri veterans' medical research trust fund.

HB 1249, introduced by Representative Franz, relating to property taxation.

HB 1250, introduced by Representatives Ruzicka, Dugger and Sater, relating to primary elections.

HB 1251, introduced by Representative Ruzicka, relating to fees imposed for the enforcement of the federal Safe Drinking Water Act.

HB 1252, introduced by Representative Ruzicka, relating to making a false report.

HB 1253, introduced by Representative Ruzicka, relating to imposing costs of investigation and prosecution of criminal cases on defendants.

HB 1254, introduced by Representative Ruzicka, relating to the agritourism promotion act.

HB 1255, introduced by Representatives Lant and Gatschenberger, relating to a surcharge on recreational activities for emergency services purposes.

COMMITTEE APPOINTMENTS

January 10, 2012

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Due to the ongoing nature of the work of the Interim Committee on Government Oversight and Accountability, I hereby dissolve the interim committee and create the Special Standing Committee on Government Oversight and Accountability in the Missouri House of Representatives and have appointed the following members:

Representative Jay Barnes – Chair
Representative Sheila Solon
Representative Jason Smith
Representative Thomas Long
Representative Jeanette Mott Oxford
Representative Jason Kander

Representative Mark Parkinson – Vice Chairman
Representative Ryan Silvey
Representative Tom Flanigan
Representative Todd Richardson
Representative Rory Ellinger
Representative Chris Kelly

Sincerely,

/s/ Steven Tilley
Speaker

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Scott Dieckhaus as a member of the Committee on Higher Education and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Dave Hinson as a member of the Committee on Local Government and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Noel Torpey as a member of the Committee on Downsizing State Government and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Noel Torpey as a member of the Committee on Fiscal Review and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 4, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Ray Weter as a member of the Committee on Retirement and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

COMMUNICATION

January 10, 2012

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461 of the Revised Statutes of Missouri, this letter is to advise I am hereby filing a written report with your office of a possible personal interest on which the House of Representatives may vote on during the legislative session. I have a son who is employed with the Missouri Department of Corrections; and some of the issues, bills and amendments that I will be voting on could have a direct impact on my family.

I request that you please publish this letter in the Journal of the House. Thanking you in advance, I remain

Sincerely yours,

/s/ Paul Quinn
State Representative
District 9

The following members' presence was noted: Grisamore, Haefner and Webber.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 11, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 11, 2012, 8:45 AM North Gallery.
Organizational meeting and discussion of veteran homes.

BUDGET

Wednesday, January 11, 2012, House Hearing Room 3 Upon Morning Adjournment.

Public hearing will be held: HJR 43

Executive Session will be held: HJR 43

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Wednesday, January 11, 2012, 9:00 AM House Hearing Room 5.

Executive Session will be held: HB 1135, HB 1140

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 18, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1043

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY

Monday, January 23, 2012, 5:00 PM House Hearing Room 1.

Presentation by MOCIA, Captive Insurance Agencies

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

CORRECTED

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Forum to discuss I-70. Committee will hear public testimony.

Discussion and executive session will be held on Heroes Way Application/PFC Matthew England.

CORRECTED

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.

Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from:

Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

JUDICIARY

Wednesday, January 11, 2012, House Hearing Room 1 Upon Morning Adjournment.

Executive session may be held on any matter referred to the committee.

ORGANIZATIONAL MEETING.

HOUSE CALENDAR

FIFTH DAY, WEDNESDAY, JANUARY 11, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 8

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 48 through HJR 53

HOUSE BILLS FOR SECOND READING

HB 1219 through HB 1255

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 11, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Representative Jeanie Riddle.

Most gracious Heavenly Father, maker of Heaven and Earth, thank You for this glorious day and Your humble servants who stand before You in this Chamber. Father, please bless the good men and women who seek to do Your will and serve the citizens of our great state. Lord, please bless us with wisdom and discernment as we go about the duties entrusted to us. Remind us to be thankful each day for Your intervention and many blessings.

Lord, there are those today with a heavy heart due to circumstances beyond their control. I ask that You lift them up and fill them with the Holy Spirit and let them know that You are always there. Your Word says that we can do all things through Christ who strengthens us. Give all those listening today strength to do Your will.

In Jesus' name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as printed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace

Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Ellinger	May	Reiboldt	Spreng
Stream	Mr Speaker			

SPECIAL RECOGNITION

The Fatima Lady Comets Volleyball, Cross Country, Girls Cross Country, Soccer and Softball Teams were introduced by Representative Loehner and recognized for their performance in the 2011 athletic season.

Larry Boyd, Chad Elliot and Sam McDonald with KZRG - Zimmer Radio Group were introduced by Representative Davis and recognized for their efforts to restore communication services to the City of Joplin following the May 22, 2011, tornado.

HOUSE RESOLUTION

Representative Loehner offered House Resolution No. 140.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 116 through House Resolution No. 139

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 8 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 48 through **HJR 53** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1219 through **HB 1255** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 45 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1180 - General Laws

HB 1186 - International Trade and Job Creation

HB 1192 - Financial Institutions

HB 1214 - Small Business

HB 1219 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1135**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1140**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 54, introduced by Representatives Hinson, Wallingford, Cauthorn, Wells, Wieland, Asbury, Lasater, Koenig, Schad, Korman, Meadows, Leach, Kelley (126), Johnson, McCaherty and Shumake, relating to the life sciences research board.

HJR 55, introduced by Representatives Dugger, Wells, Crawford, Rowland, Fisher, Entlicher, Neth, Fitzwater, Pollock, Conway (14), Schad, Burlison, Koenig, Kelley (126), Smith (150), Grisamore and Loehner, relating to amending the constitution.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1256, introduced by Representative Diehl, relating to the Missouri prosecuting attorneys and circuit attorneys retirement system fund.

HB 1257, introduced by Representatives Kelly (24), Wyatt, Fitzwater, Tilley, Lasater, Barnes, Torpey, McGhee, Funderburk, Marshall, Schieber, Brown (85), Reiboldt and Schupp, relating to the University of Missouri board of curators.

HB 1258, introduced by Representative Kelly (24), relating to acknowledgment of paternity.

HB 1259, introduced by Representative Kelly (24), relating to consent for adoption.

HB 1260, introduced by Representative Kelly (24), relating to consent for adoption.

HB 1261, introduced by Representatives Swearingen, Berry, Talboy, Neth, Rizzo, Silvey, Schieber, Holsman, McManus and Nasheed, relating to the designation of a memorial bicycle and pedestrian bridge.

HB 1262, introduced by Representatives Brown (50), Jones (63), Cookson, Zerr, Long, Jones (89), Hughes, Holsman, Taylor, Kelly (24), Aull, Casey, Fallert, Black, McCann Beatty, May, Carter, Lampe, Webb, Gatschenberger, Cierpiot, Hough, McGhee, Rizzo, Pace, Colona, Smith (71), Sater, Cox, Day, Scharnhorst, Sifton, Torpey, Walton Gray, Oxford, McNeil, Kirkton, Nichols, Pierson, Morgan, Harris, Schupp, McManus, Newman, McCreery, Ellington, Hubbard, Conway (14) and Hummel, relating to the coordination of school health programs.

HB 1263, introduced by Representatives Fallert, Conway (27) and Newman, relating to elections.

HB 1264, introduced by Representatives Fallert, Denison, Meadows and Conway (27), relating to motor vehicle registration periods.

HB 1265, introduced by Representatives Kander, Webber, Still, Cox, Hummel, Swearingen, Barnes, Higdon and Fuhr, relating to the veteran workforce act.

HB 1266, introduced by Representatives Denison, Solon, Meadows, Pollock, Loehner and Weter, relating to the designation of an official state butterfly.

HB 1267, introduced by Representatives Denison, Solon and Meadows, relating to foster children.

HB 1268, introduced by Representatives Nance, Berry, Neth, Wells and Davis, relating to fines and court costs for traffic violations.

HB 1269, introduced by Representatives Brattin, Molendorp, Largent, McGhee and Brown (116), relating to The Burnt District special license plate.

HB 1270, introduced by Representatives Houghton, Johnson, Redmon, Hough, Kelley (126), Schatz, Hinson, Smith (150), Riddle and Brattin, relating to the designation of Missouri school bus safety week.

HB 1271, introduced by Representatives Houghton, Cauthorn, Asbury, Riddle, Smith (150), Redmon, Kelley (126), Guernsey and Hough, relating to crimes committed on agricultural property.

HB 1272, introduced by Representatives Kelley (126), Davis, Brattin, Haefner, Brown (85), Curtman, Entlicher, Franklin, Berry, Wyatt, Frederick, Conway (14), Long, Black, McGhee, Molendorp, Lichtenegger, Leach, Houghton, Neth, Crawford, Lair, Shumake, Brown (116), Higdon, Schad, Schoeller, Jones (89), Riddle, Wieland, Franz, Loehner, Wells, Reiboldt, Redmon, Grisamore, Diehl and Keeney, relating to certain actions for damages against correctional facilities.

HB 1273, introduced by Representatives Kelley (126), Nasheed, Bahr, Brattin, Davis, White, Curtman, Entlicher, Berry, Wyatt, Frederick, Long, Leach, Houghton, Neth, Crawford, Lair, Shumake, Brown (116), Higdon, Schad, Franklin, Schoeller, Day, Jones (89), Smith (150), Wright, Wieland, Webber, Reiboldt, Johnson, Redmon, Grisamore, Jones (117), Jones (63), Taylor, Gosen, Brown (50), Black, Carter, McCreery, McCann Beatty, Swearingen, Hough, Diehl, Nance, Solon, Keeney and Richardson, relating to school bus advertisements.

HB 1274, introduced by Representatives Koenig, Wieland, Brattin, Korman, Cookson, Fitzwater, Cauthorn, Rowland, Davis, Richardson, Long, Allen, Brown (116), Curtman, Fuhr, Schoeller, Dugger, Smith (150), Houghton, Leach, Riddle, McCaherty, Diehl, White, Schneider, Keeney, Bahr, Lasater, Jones (89), Pollock, Lichtenegger, Scharnhorst, Shumake, Funderburk, Brown (85), Reiboldt, Kelley (126), Burlison, Lant, Guernsey, Conway (14), Phillips and Fisher, relating to the abortion-inducing drugs safety act.

HB 1275, introduced by Representatives Koenig, Allen, Wieland, Brattin, Davis, Curtman, Fuhr, Smith (150), McNary, Leach, White, Schneider, Jones (89), Lasater, Bahr, Lichtenegger, Scharnhorst, Funderburk, Brown (85), Reiboldt, Burlison and Lant, relating to local ballot proposals.

HB 1276, introduced by Representatives Koenig, Brattin, Davis, Richardson, Allen, Bahr, Lasater, Pollock, Funderburk, Reiboldt, Lant, Guernsey, Scharnhorst and Conway (14), relating to teacher academic freedom to teach scientific evidence regarding evolution.

HB 1277, introduced by Representatives Long, Rowland, Philips and Weter, relating to highway infrastructure improvement agreements.

HB 1278, introduced by Representatives Long, Schoeller, Davis, Berry, Hough, Barnes, Bernskoetter, Redmon, Higdon, Diehl, Day, Neth, Ruzicka, Hampton, Elmer, Riddle, Jones (117), Oxford, Atkins, Wieland, Richardson, McCaherty, Frederick, Swinger, Hodges, Black, Kelley (126), Molendorp, McGhee, Zerr, Gatschenberger, Denison, Pollock, Korman, Wallingford, Shumake, Rowland, Cierpiot, Kratky, Lichtenegger, Harris, Jones (89), Burlison, Brown (85), Brown (50), Casey, Shively, Fallert, Quinn, McManus, Meadows and Conway (27), relating to certain benevolent tax credits.

COMMITTEE CHANGES

January 11, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Michael Brown from the Committee on Appropriations Public Safety and Corrections.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 10, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Ellinger from the Committee on Children and Families and the Committee on Downsizing State Government.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 10, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Sifton from the Committee on General Laws and appoint him to the Committee on Insurance Policy.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

WITHDRAWAL OF HOUSE BILL

January 11, 2012

D. Adam Crumbliss
Chief Clerk of the House of Representatives
201 W. Capitol, Room 306C
Jefferson City, MO 65101

Mr. Crumbliss,

I respectfully request that **House Bill No. 1115**, the Paperless Documents & Forms Act, be withdrawn.

If you have any questions, please contact me at (573) 751-3751.

Warmest regards,

/s/ John C. McCaherty
State Representative
District 90

The following members' presence was noted: Barnes, May, Reiboldt, Spreng and Stream.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 12, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Third Day, Monday, January 9, 2012, Page 42, Line 19, by inserting immediately after the name “Grisamore” the following: “, Leara”.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 17, 2012, 2:00 PM House Hearing Room 4.

Will be discussing eminent domain issues in Central Missouri.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 4.

Public Testimony: Call or e-mail Eric Jacquin at (573) 751-9458 or Eric.Jacquin@house.mo.gov if you are interested in testifying.

APPROPRIATIONS - EDUCATION

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.

Morenet/Teach for America public testimony.

Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.

Public testimony continued.

Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 6.

Public testimony - Please call Rep. Kelly's office at (573) 751-4189 if you plan to testify at this hearing 24 hours prior to hearing date.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 18, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1043

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY

Monday, January 23, 2012, 5:00 PM House Hearing Room 1.

Presentation by MOCIA, Captive Insurance Agencies.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Forum to discuss I-70. Committee will hear public testimony.

Discussion and executive session will be held on Heroes Way Application/PFC Matthew England.

CORRECTED

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.

Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, January 12, 2012, 9:30 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Any or all bills referred to Committee.

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 12, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 54 and HJR 55

HOUSE BILLS FOR SECOND READING

HB 1256 through HB 1278

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 12, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In Him we live and move and have our being. (Acts 17:28)

Eternal God, Who is the life of our spirits, the law of our minds, and the love in our hearts, with simple trust we draw near to You, opening our lives to Your renewing presence. Strengthened with might by Your spirit in the inner being, may we launch out into this new day sustained by an unfaltering faith which holds us up and supported by an unfailing fortitude which will carry us through with honor to ourselves, to our state and to You.

Into Your keeping we commit our loved ones, our staffs and the people of Missouri. Keep us steady, make us confident and give us the courage to face each day with a firm trust in You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as printed by the following vote:

AYES: 153

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols

Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 002

Atkins Oxford

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Carlson	Ellinger	Kander	Schatz
Taylor	Webber	Mr Speaker		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 141 though House Resolution No. 170

HOUSE CONCURRENT RESOLUTIONS

Representative Smith (71), et al., offered House Concurrent Resolution No. 10.
 Representative Kelley (126), et al., offered House Concurrent Resolution No. 11.
 Representative Davis, et al., offered House Concurrent Resolution No. 12.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 54 and **HJR 55** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1256 through **HB 1278** were read the second time.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

The President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 1**. Senators: Mayer, Dempsey, Stouffer, Pearce, Parson, Callahan, Justus, Green, Chappelle-Nadal and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

The President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 2**. Senators: Mayer, Goodman, Schmitt, Ridgeway, Schaefer, Justus, Keaveny, Wright-Jones, Curls and McKenna.

ESCORT COMMITTEES

The Speaker appointed the following Committee to act with a like Committee from the Senate pursuant to **HCR 1**: Representatives Fraker, Redmon, Cookson, Loehner, Denison, Swinger, Harris, Lampe, Schupp and McCann Beatty.

The Speaker appointed the following Committee to act with a like Committee from the Senate pursuant to **HCR 2**: Representatives Jones (117), Franz, Day, Lant, Barnes, Sifton, Webber, Carlson, Colona and Rizzo.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 89 - Administration and Accounts

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1036 - Elections
HB 1037 - Local Government
HB 1038 - General Laws
HB 1039 - Retirement
HB 1041 - Higher Education
HB 1042 - Higher Education
HB 1045 - General Laws
HB 1048 - Elementary and Secondary Education
HB 1049 - Elementary and Secondary Education
HB 1054 - General Laws
HB 1058 - Health Care Policy
HB 1059 - Elections
HB 1060 - Elections
HB 1076 - Special Standing Committee on Renewable Energy
HB 1077 - Special Standing Committee on Renewable Energy
HB 1094 - Downsizing State Government
HB 1098 - Veterans
HB 1099 - Veterans
HB 1100 - Veterans
HB 1103 - Financial Institutions

HB 1105 - Veterans
HB 1106 - Elections
HB 1107 - Transportation
HB 1109 - General Laws
HB 1112 - Insurance Policy
HB 1113 - Insurance Policy
HB 1116 - International Trade and Job Creation
HB 1119 - Transportation
HB 1123 - Health Care Policy
HB 1141 - Transportation
HB 1143 - Local Government
HB 1144 - Insurance Policy
HB 1147 - International Trade and Job Creation
HB 1154 - Economic Development
HB 1155 - Transportation
HB 1160 - Veterans
HB 1161 - Veterans
HB 1165 - Judiciary
HB 1166 - Judiciary
HB 1174 - Elementary and Secondary Education
HB 1177 - Local Government
HB 1185 - International Trade and Job Creation
HB 1187 - Children and Families
HB 1193 - Professional Registration and Licensing
HB 1199 - Health Insurance
HB 1200 - Ways and Means
HB 1204 - General Laws
HB 1210 - Local Government
HB 1212 - Agriculture Policy
HB 1213 - Transportation Funding and Public Institutions
HB 1223 - Crime Prevention and Public Safety
HB 1226 - Retirement
HB 1239 - Ways and Means
HB 1241 - Veterans
HB 1250 - Elections
HB 1251 - Tourism and Natural Resources
HB 1252 - Crime Prevention and Public Safety
HB 1253 - Judiciary
HB 1254 - Agriculture Policy
HB 1255 - Local Government

COMMITTEE REPORTS

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1135**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1140**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 56, introduced by Representatives Cauthorn, Schad, Reiboldt, Korman, Dugger, Guernsey and Torpey, relating to the sales and use tax for conservation.

HJR 57, introduced by Representative Kelly (24), relating to the fifth state building fund.

HJR 58, introduced by Representative Kelly (24), relating to a limitation on state bonded indebtedness.

HJR 59, introduced by Representatives Pollock, Wells, Zerr, Kratky, Riddle, Fitzwater, Koenig, Smith (71), Schad, Jones (89), Denison, Smith (150), Dugger, Hough, Asbury, Crawford, Phillips, Loehner, Houghton, Brattin, Cauthorn, Shumake, Wieland, Ruzicka, Franklin, Korman, Rowland, Grisamore, Schneider, Hampton, Fisher, Stream, Lair, Keeney, Fraker, Cookson, Spreng, Largent, Black, Nasheed, Carter, May and Lichtenegger, relating to the personal right to hunt and fish.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1279, introduced by Representatives Smith (71), Pace, Swearingen, Wallingford and May, relating to unfair employment advertisements.

HB 1280, introduced by Representatives Korman and Elmer, relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

HB 1281, introduced by Representatives Meadows, Day, Conway (27), Schieffer, Wallingford, Wright, Swinger, Davis, McCaherty, Kratky, Fallert, Casey, Black, Atkins, Hodges, Harris, McGeoghegan and Wieland, relating to identification for veterans.

HB 1282, introduced by Representatives Houghton, Phillips, Hinson, Riddle, Kelley (126), Pollock, Loehner, Asbury, Johnson, Redmon, Brown (85), Conway (14), Higdon, Schieffer, Brown (116), Hough, Guernsey, Nance, Rowland, Korman, McGhee, Hoskins, Shively, Fraker, Haefner, Klippenstein, White, Reiboldt, Day, Cross, Quinn, Black, Curtman and Franklin, relating to department of conservation violation code.

HB 1283, introduced by Representatives Barnes and Cross, relating to tanning facilities.

HB 1284, introduced by Representatives Smith (71), McGhee, Pace, Meadows and Brown (50), relating to assault of an elected official or his or her staff member.

HB 1285, introduced by Representatives Higdon, Cox, Schad, Fitzwater and Klippenstein, relating to unauthorized meter reading.

HB 1286, introduced by Representatives Higdon, Kelley (126), Fitzwater, Brown (116) and Conway (27), relating to an owner's liability for death or injury to a trespasser.

HB 1287, introduced by Representatives Higdon, Klippenstein, Torpey, Elmer, Funderburk, Fisher, Davis, Lauer, Gatschenberger, Schad, McGhee, Solon, Kelley (126), Fitzwater, Brown (116), Conway (27), Talboy, Jones (89), Diehl, White, Curtman, Hinson and Conway (14), relating to the Missouri veterans fund.

HB 1288, introduced by Representatives Higdon, Davis, Gatschenberger, Funderburk, McGhee, Klippenstein and Fitzwater, relating to child support.

HB 1289, introduced by Representatives Higdon, Gatschenberger, Funderburk and Klippenstein, relating to the use of smart meters.

HB 1290, introduced by Representatives McNeil, Schoeller, White, Weter, Holsman, Carter, Wyatt, Redmon, Fitzwater, Schupp, Berry, Nichols, Newman, McCreery, Spreng, Morgan, Kirkton and Kelly (24), relating to environmentally sustainable construction for state-funded buildings.

HB 1291, introduced by Representatives Nance, Webber, Smith (150), Berry, Jones (117), Gatschenberger, Kratky, Schneider, Nichols, Kelley (126), Jones (89), Thomson, Brandom, Bernskoetter, McGhee, Allen, Brown (116), Leara, Sifton, Barnes, Diehl, Zerr, Rizzo and Korman, relating to the licensing of home inspectors.

HB 1292, introduced by Representatives Kelley (126), Keeney, Davis, Brattin, Cox, Entlicher, Berry, Wyatt, Conway (14), Long, Houghton, Neth, Crawford, Lair, Shumake, Brown (116), Higdon, Schad, Torpey, Franklin, Schoeller, Day, Smith (150), Wright, Wieland, Loehner, Reiboldt, Johnson, Redmon, Grisamore, Phillips, Diehl, Dugger and Sommer, relating to making a false declaration.

HB 1293, introduced by Representatives Leara, Nichols, Fuhr, McNeil, Taylor, Carlson, Allen, Haefner, Schupp, Gosen, Atkins and McGeoghegan, relating to condemnation proceedings.

HB 1294, introduced by Representatives Still, Newman, McCreery, McNeil, McGeoghegan, Kirkton, Shively, Aull, Quinn, Casey, Kratky, McDonald, Schupp, Schieffer, Wallingford, Carlson, Pace, Oxford, McManus, Morgan, Pierson, Rizzo, Fitzwater, Lasater, Holsman, Brown (50), Swinger, Black and Kelly (24), relating to consumer credit interest rates.

HB 1295, introduced by Representatives Hough, Denison, Meadows, Fallert, Phillips, Long, Solon, Stream, Hinson, Korman, Cookson and Schieffer, relating to road use.

HB 1296, introduced by Representatives Davis, Day, White, Brown (116), Fisher, Lant, McCaherty, Rowland, Reiboldt, Richardson, Atkins, Brattin, Wright, Wells, Elmer and Brown (85), relating to child custody and visitation for military personnel.

HB 1297, introduced by Representatives Davis, Day, White, Brown (116), Fisher, Lant, McCaherty, Rowland, Reiboldt, Lichtenegger, Richardson, Atkins, Brattin, Wright, Nance, Wells, Elmer and Brown (85), relating to professional licensure of current and former military personnel.

HB 1298, introduced by Representative Franz, relating to tort actions for damages.

HB 1299, introduced by Representative Franz, relating to transportation sales tax.

HB 1300, introduced by Representatives Franz, Crawford and Entlicher, relating to motor vehicle valuations.

HB 1301, introduced by Representatives McCaherty, Burlison, Day, Grisamore, McGhee, Dugger, Davis, Fraker, Guernsey and Wieland, relating to emergency medical technician licensure of honorably discharged veterans.

HB 1302, introduced by Representatives Holsman, Wyatt, Carter, Berry, Nasheed, Talboy, Shively, Redmon, Quinn, Casey, Fallert, Kratky, Spreng, McNeil, McCreery, Morgan, Still, Kirkton, Sifton, Schupp, Hodges, Kelly (24), Hough, Long, White, McManus, Molendorp, Ellington, Hughes, McCann Beatty, Anders, Nance, Swearingen, Pace, Walton Gray, Newman, Oxford and McDonald, relating to energy efficiency improvements to certain state buildings.

HB 1303, introduced by Representatives Kelly (24), Fuhr, Higdon, Hubbard, Rizzo, Torpey, Lasater, Nichols, Fitzwater, Solon, Wallingford and Brown (116), relating to the Missouri veterans fund.

HB 1304, introduced by Representative Kelly (24), relating to issuance of bonds by political subdivisions.

HB 1305, introduced by Representatives Berry, Holsman, Wyatt, White and McNeil, relating to the net metering and easy connection act.

HB 1306, introduced by Representatives Berry, Franz, Kelley (126), Neth and Anders, relating to caffeinated malt beverages.

HB 1307, introduced by Representatives Wells, Smith (150), Bahr, Dugger, Pollock, Lant, Stream and Fitzwater, relating to county annual budgets.

HB 1308, introduced by Representatives Wells, Crawford, Day, Nance, Kelley (126), Curtman, Entlicher and Lant, relating to pledged securities for safekeeping.

HB 1309, introduced by Representatives Wells, Crawford, Berry, Day, Nance, Kelley (126) and Entlicher, relating to residential mortgage loan brokers.

HB 1310, introduced by Representatives Brattin, Kelley (126), Bahr, Berry, Davis, Koenig, Smith (150), Largent, Guernsey, Solon, Brown (116), Zerr, Sater, Jones (89) and Frederick, relating to motor fuel tax exemptions.

HB 1311, introduced by Representatives Silvey, Talboy, Zerr, Smith (71), Neth, Sifton and Webber, relating to tax incentives for data storage, server farm, and technology business facilities.

HB 1312, introduced by Representatives Koenig, Fuhr, McNary, Torpey, Lichtenegger and Brown (85), relating to retirement benefits.

HB 1313, introduced by Representatives Nolte, Berry, Nance, Weter, Black, Neth, Torpey, Wells, Brown (85), Brown (50) and Grisamore, relating to property assessments.

HB 1314, introduced by Representatives Still, Higdon, McGeoghegan, Talboy, Webb, Lampe, Shively, Aull, Hummel, McDonald, Smith (71), Pierson, Carter and Webber, relating to the implementation of the streamlined sales and use tax agreement.

HB 1315, introduced by Representatives McCaherty, Scharnhorst, Kelley (126), Bahr, Higdon, Klippenstein, Korman, Fraker, McNeil, Burlison, Largent, Funderburk, Brown (116), White, Black, Pace, Walton Gray, Casey, Carter, Day, Wyatt, Zerr, Wells, Lichtenegger, Shumake, Leara, Wright, Nolte, Conway (27), Fallert, Meadows, Colona, Holsman, Brandom, Cierpiot, Koenig, Sifton, McCann Beatty, Schieber, Aull, Hoskins, Lair, Franklin, Pollock, Cauthorn, Brown (85), Brattin, Redmon, Kratky, Phillips, Oxford, Schupp, Hughes, Swinger, Richardson, Schoeller, Johnson, Ruzicka, Smith (150), Nance, Rizzo, Fitzwater, Grisamore, Jones (117), Lampe, Pierson, Kirkton, McGhee, Weter, Lauer, Fisher, Schad, Davis, Gatschenberger, Franz, Guernsey, Haefner, Still, McCreery, Atkins, Schieffer, Smith (71), Quinn, Wallingford, Hodges, Hummel, Stream, Wieland, Reiboldt, Hampton and Bernskoetter, relating to state employee leave for members of the United States Coast Guard Auxiliary.

COMMITTEE APPOINTMENTS

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Ellington to the following committees:

Crime Prevention and Public Safety
Appropriations-Public Safety and Corrections
Downsizing State Government

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative May to the Committee on Children and Families.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative McCreery to the following committees:

Health Insurance
General Laws
International Trade and Job Creation

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Morgan to the following committees:

Higher Education
Children and Families
International Trade and Job Creation

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Swearingen to the Committee on General Laws.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

COMMITTEE CHANGE

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Clem Smith from the Committee on Tax Reform.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

COMMUNICATION

January 12, 2012

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Mike Lair
Representative - District 7

The following members' presence was noted: Carlson and Kander.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Tuesday, January 17, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 17, 2012, 2:00 PM House Hearing Room 4.

Will be discussing eminent domain issues in Central Missouri.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 4.

Public Testimony: Call or e-mail Eric Jacquin at (573) 751-9458 or Eric.Jacquin@house.mo.gov if you are interested in testifying.

APPROPRIATIONS - EDUCATION

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.

Morenet/Teach for America public testimony.

Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.

Public testimony continued.

Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 19, 2012, House Hearing Room 7 Upon Morning Adjournment.

Executive session may be held on any matter referred to the committee.

Public Testimony. Please call (573) 751-5458 to register for testimony.

Meeting may last several hours, please plan accordingly.

Lunch will be provided.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 6.

Public Testimony - Please call Rep. Kelly's office at (573) 751-4189 if you plan to testify at this hearing 24 hours prior to hearing date.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 7.

Organizational hearing.

The committee will hear public testimony on MoDOT, DED, DIFP, and DOLIR. If you plan to testify, please contact Rep. Denny Hoskins' office [(573) 751-4302] 24 hours prior to hearing.

ECONOMIC DEVELOPMENT

Tuesday, January 17, 2012, 12:00 PM House Hearing Room 6.

Organizational meeting.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 18, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1043

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY

Monday, January 23, 2012, 5:00 PM House Hearing Room 1.

Presentation by MOCIA, Captive Insurance Agencies.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, January 19, 2012, 8:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Forum to discuss I-70. Committee will hear public testimony.

Discussion and executive session will be held on Heroes Way Application/PFC Matthew England.

CORRECTED

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.

Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND
ACCOUNTABILITY

Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, January 17, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1219

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTH DAY, TUESDAY, JANUARY 17, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 56 through HJR 59

HOUSE BILLS FOR SECOND READING

HB 1279 through HB 1315

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 43 - Burlison

HOUSE BILLS FOR PERFECTION

- 1 HB 1135 - Smith (150)
- 2 HCS HB 1140 - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 17, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will lift up mine eyes unto the hills, from whence cometh my help. (Psalm 121:1)

O God, Who is ever near and ever ready to help those who put their trust in You, clear our vision and strengthen our hearts as we wait upon You. Deliver us from doubt, free us from fretfulness, and save us from the spirit that promotes confusion and disunity. Help us to turn away from all movements which would stifle the liberties of free peoples and lead us into the fresh air of freedom, justice, and good will. By Your grace may we and our state live in this moral climate all our days – so shall we be true children of Yours and so shall we serve well the citizens of Missouri.

And the House says, “Amen!”

The Pledge of Allegiance to the flag was recited.

The Journal of the sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 171 through House Resolution No. 204

HOUSE CONCURRENT RESOLUTION

Representative Loehner, et al., offered House Concurrent Resolution No. 13.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 56 through **HJR 59** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1279 through **HB 1315** were read the second time.

MOTION

Representative Jones (89) moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Diehl	Guernsey	Hughes	Jones 63
Molendorp	Nance	Smith 71	Swearingen	Wyatt

COMMITTEE APPOINTMENTS

The Speaker has appointed Representative Lauer and Representative McGhee to the escort committee pursuant to **HCR 1**.

On motion of Representative Jones (89), the House recessed until 6:40 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Peter Kinder, presiding, called the Joint Assembly to order.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors and the Pledge of Allegiance to the flag was recited.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 034

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham
Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus
Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 000

The Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 156

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater

Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 001

Atkins

ABSENT WITH LEAVE: 006

Casey	Funderburk	Jones 63	Molendorp	Nance
Swearingen				

The Doorkeeper announced the approach of the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

**STATE OF THE STATE
ADDRESS BY
GOVERNOR JEREMIAH W. (JAY) NIXON**

Legislative leaders, Judges of the Missouri Supreme Court, Lieutenant Governor Kinder, state officials, members of the General Assembly, members of my cabinet, and my fellow Missourians:

It's an honor to be here this evening joined by Missouri's First Lady, Georganne Nixon, and members of our family.

Over the last year, many Missouri communities have braved unthinkable hardships. And none more so than in Joplin – the toughest town on God's green earth.

Time and again, the people of Missouri have met those challenges with unwavering strength and determination.

A few months ago, on the first day of school in Joplin, I met a remarkable young man named Quinton Anderson. Quinton is a senior at Joplin High School. He's an excellent student ... and a science whiz. He hopes someday to create new vaccines.

Graduation day this year will have special meaning for Quinton, as it will for so many in Joplin.

Because it was on graduation day last year – May 22 at 5:41 p.m. – that Joplin was hit by the deadliest tornado in modern history.

Winds clocked at 200 miles an hour tore a swath a mile wide and six miles long through the heart of the community. When I stood there surrounded by smashed cars and shattered homes, it was nothing but devastation as far as the eye could see.

In just 19 minutes, the twister left thousands of people homeless. More than 7,000 homes and hundreds of businesses were damaged or destroyed. More than a 1,000 people were injured.

161 lost their lives.

The tornado leveled Quinton's home.

Both his parents were killed.

Quinton was flung through the air and found blocks away – face-down in a ditch with a fractured skull, a shattered spine, his left leg torn to shreds.

He spent five and a half weeks in the hospital. And after he left the hospital, Quinton had this to say: "I used to just take each day like it was given to me. But it's not. It's a gift. You've gotta pray for the next one. Don't give up hope. Always pray to get stronger each day. And if you're in physical therapy... and they tell you to walk ... always take that extra step."

Always take that extra step ...

... His parents would be so proud.

Quinton, your faith and your fight have shown the world that the spirit of Joplin is unbreakable. People of Missouri, please welcome Quinton Anderson and his sister, Grace.

Mother Nature hit us hard in 2011, starting with tornadoes on New Year's Eve ...

A blizzard that shut down I-70 from St. Louis to Kansas City...

Record flooding and drought in the Bootheel ... and in northwest Missouri ...

The intentional breach of the Birds Point levee by the Corps of Engineers ...

More tornadoes on Good Friday ...

Another tornado in Sedalia ... and of course, the EF-5 tornado in Joplin and the surrounding area.

And through every natural disaster they endured, the people of Missouri relied on our brave men and women in uniform: our first responders, our law enforcement community, and all who have answered the call to military service.

In the aftermath of Joplin alone, men and women from more than 400 public safety agencies rushed to help.

Certain special people have a spirit that compels them to run toward trouble, not away from it. And Missouri State Trooper Fred Guthrie Jr. was one of them.

In 2007, Trooper Guthrie earned our state's highest law enforcement honor, the Missouri Medal of Valor, for saving a woman during a violent storm on Smithville Lake.

It was the same selfless spirit that compelled Trooper Guthrie to brave the swift currents of the Missouri River, which claimed his life last August.

Fred Guthrie was a hero, who died as he lived: protecting others. Even as we mourn our loss, we are lifted up by his courage. Missouri is a better place for his service.

Please join me in thanking the family of Trooper Fred Guthrie – his wife, Teresa; and their three children, Amber, Dylan, and Cody – and all our men and women in uniform.

Quinton Anderson. Fred Guthrie. Our men and women in uniform.

They have shown us the face of courage. They have shown us what it means to be strong in the toughest of times. What it means to take that extra step.

And we've seen our share of tough times these past few years.

It began in 2008, when our nation was hit with the most severe economic recession of our lifetime. In the last six months of 2008, we lost more than 55,000 jobs. In December of 2008, Missouri saw more than 100 mass layoffs, the most ever since we began tracking that number.

But we didn't make excuses. We didn't wait around for help.

Missourians stood up ... got to work ... showed our strength.

Yes, times have been tough. But Missourians have always been tougher.

And that's why I'm so optimistic about our future.

The people of the Show-Me State are stubborn and self-reliant.

When times are tough, we buckle down and get to work.

Missourians don't want a handout.

Missourians don't want a bailout.

Missourians just want an opportunity to succeed.

The people of Missouri turned to all of us ... for strong leadership ... for a clear path forward ... and for hope for a brighter future.

And I'm proud to say that because of our strong leadership, Missouri is once again moving forward.

Unlike Washington, we've worked together like adults ... no matter what part of our state we're from, how we make a living, or what party we belong to.

Unlike Washington, we've kept a laser-like focus on job creation.

Unlike Washington, we've maintained our strict fiscal discipline and balanced our budget – and we've done it without raising taxes.

Our commitment to balancing the budget, holding the line on taxes, and our focus on creating jobs, is paying off.

The national recession brought sharp job losses in 2008 and 2009, but we have turned the corner. Today, it was reported that our unemployment rate is now at its lowest level in three years.

Missouri farms and businesses are shipping more goods around the globe, generating billions of dollars of economic activity and thousands of jobs here at home.

And together, we're bringing the American auto industry back to life right here in the Show-Me State.

But there is more work to do.

Tonight, I'll lay out a specific strategy to create more jobs and grow our economy.

That strategy builds on the granite foundation of fiscal discipline we have laid here in Missouri:

Balancing the budget;
Holding the line on taxes;
Making government smaller, smarter, and more efficient.

The national recession, and the gridlock in Washington, created tough budget times for all the states.

Some states simply chose to ignore the problem, spent more money than they had, and racked up huge deficits.

But not here in Missouri. Since taking office, I've cut government spending by \$1.6 billion.

And with the balanced budget I present tonight, I'll have reduced the government's payroll by 4,100 positions. The state workforce is the smallest it's been in 15 years.

Those decisions were tough, but necessary.

Other states haven't shown that fiscal discipline. More than 30 states have raised taxes, including Kansas and Illinois.

But we have not.

Because we know that Missouri families can't afford a tax increase. Period.

In fact, to help more small businesses create jobs and grow, we've begun to phase out the outdated franchise tax on thousands of Missouri businesses.

That means more money to their bottom line – and more jobs for Missouri workers.

But we haven't just made your government smaller. We're also making your government smarter.

By 2015, the Department of Transportation will have cut \$512 million in overhead and administrative costs, and put that money where it belongs: building roads and bridges.

We've consolidated offices and cut our energy bills. We've put critical services online, including teacher certification; insurance agent licenses; and GED transcripts. We've eliminated paperwork, and slashed printing and postage costs.

Because of our focus on fiscal responsibility and efficiency, Missouri is one of the few states with a Triple-A credit rating from all three rating agencies. Kansas can't say that. Neither can Arkansas, Illinois, Kentucky, Nebraska, or Tennessee.

New Jersey got downgraded by all three credit rating agencies in the last year. Even the federal government got downgraded by Standard and Poor's.

You know what that says about us here in Missouri?

We know how to manage our money – better than our neighboring states, and much better than Washington.

Our Triple-A credit rating saves the taxpayers millions – and it signals that Missouri is a smart place to invest.

While we're talking about government efficiency, let me make a related point. For the past three years, I have called for comprehensive tax credit reform. Some of you in this room stood with me on this issue. Others did not.

The consequences of this inaction are clear. Over the past four years, more than \$2 billion in state tax credits have been redeemed.

Effective tax credits are used to create jobs and grow our economy. But tax credits that aren't delivering for Missourians must be retooled and reformed. We all know that dollars spent on tax credits are dollars we cannot invest in other critical priorities.

Once again, I ask you to pass comprehensive tax credit reform to get this spending under control.

Balancing our budget. Holding the line on taxes. Maintaining a spotless Triple-A credit rating. These are all signs that Missouri is headed in the right direction.

The U.S. Chamber of Commerce recently called Missouri a leader and ranked us as one of the Top Ten business-friendly states in the nation because of our low taxes and fiscal discipline.

We also have a safe workforce. That's another reason we're poised for growth. Reducing on-the-job injuries is a point of pride for Missouri workers – and employers.

Since I became your Governor, workers' injury claims have gone down every year, and are now almost 50 percent lower than they were nearly two decades ago.

That means real cost savings for employers. The cost of workers' compensation has come down each year I've been Governor. In fact, businesses are paying less now for workers' comp coverage than they were back in 1994.

Here in Missouri, we're standing firm to protect workers' safety and workers' rights.

Because, as we all know, a strong and safe workforce makes a strong economy.

From our low taxes to our strong workforce, Missouri is well positioned for job creation. To keep our economy growing, we must build on these strengths.

That's what our Missouri Works strategy will do. With your help, we will:

- One, grow more auto supplier jobs in Missouri;
- Two, sell more Missouri-made goods overseas;
- Three, prepare more workers for high-tech careers;
- Four, train and hire more veterans;
- Five, jumpstart innovation in science and technology;
- Six, target high-growth industries; and
- Seven, create jobs in rural communities.

Let's start with the automotive industry.

Missouri has always been an automotive state. It's who we are. It's in our blood. But for decades, the American auto industry had been in decline.

When I took office in 2009, thousands of jobs at Claycomo and Wentzville were at risk. We couldn't sit by and watch those jobs go to other states, or other countries.

But we didn't give up on the American auto industry. We believed in our hearts that American workers would build automobiles that could compete in a world economy.

But it was up to us to make sure they were built right here in the Show-Me State.

So, I went to Detroit, and met with the heads of Ford and GM.

And after those meetings, we took bold action.

I called the General Assembly into special session. Folks from across our state – urban and rural, business and labor, Democrats and Republicans – came together and worked with us to pass the Missouri Manufacturing Jobs Act.

And it has paid off.

Last October, Ford announced that it will invest \$1.1 billion in Claycomo.

To put that in perspective, that's a bigger capital investment than building Arrowhead and Kauffman stadiums – combined.

Ford is going to produce the Transit van in the United States for the first time. Until now, it's only been produced overseas. But, because of our work, this vehicle will now be built with pride right here in the Show-Me State.

No more outsourcing, folks. We're bringing jobs back to Missouri.

In addition to the Transit, Ford is adding a second shift at Claycomo to produce more F-150 pickups.

This massive investment will bring 1,600 new jobs to the Claycomo plant – on top of the existing 3,800 jobs we saved.

Just two weeks later, GM announced that it would invest \$380 million to build its new Chevrolet Colorado at Wentzville, and add a second shift on its two existing vehicles.

That's another 1,660 new jobs right here in Missouri.

I wish all of you could have been there with me when we made those announcements. After all they've been through, to see the look in those workers' eyes ... to know they can put food on the table ... and clothes on their kids' backs; to know they can pay the mortgage and the electric bill ... to know that they can put money in the collection plate on Sunday.

What we do here really matters.

And we won't stop now.

Last week, I was back again in Detroit, sitting face-to-face with senior executives at Ford, GM, and some of the world's largest auto suppliers.

I was there for one reason: to get more auto parts suppliers to invest in the Show-Me State. Whether they're making seats or steering wheels, axles or airbags, we want suppliers to bring more of those jobs to Missouri.

As part of our Missouri Works strategy, I call on the legislature once again to stand up with me and fight for the automotive industry. We must pass legislation to help auto suppliers create new jobs across Missouri.

Make no mistake: Just like before, competition for these jobs will be stiff.

But to the Missouri taxpayers, let me say this:

We won with Ford. We won with GM. And we will win with the auto suppliers and create even more jobs.

Let's get it done.

The next component of Missouri Works is to sell more Missouri-made goods overseas to create more jobs here at home.

It's clear the world wants what Missouri's got: Cotton and chemicals. Soybeans and semiconductors. F-150s and F-15s.

When I talk about selling Missouri-made goods overseas, I don't mean just the Fortune 500s that have an established global footprint. Competing globally is just as important for small businesses and family farms in every corner of our state.

One company that's ahead of the curve is Forrest Keeling Nursery in Elsberry, founded 63 years ago in the backyard of Dr. Forrest Keeling. Today, the nursery grows more than 250 types of trees, shrubs, and grasses and sells those products around the world. And they have patents pending in more than 50 countries.

Last year, I had the pleasure of visiting this small, hometown business that's winning in the global economy.

On behalf of all of our growing Missouri exporters, please welcome Forrest Keeling's CEO, Wayne Lovelace; his wife, Judy; and their daughter, Kim.

Because of companies like this, Missouri exports were up by \$1.2 billion in the first three quarters of 2011. And that was on top of our outstanding 35 percent growth in 2010.

As part of Missouri Works, we're going to keep this momentum building by creating a one-stop shop to help Missouri businesses and farms find more customers in new international markets.

And with the new trade offices we'll be opening soon in China, Southeast Asia, and South America, we're taking the "Made in Missouri" brand global.

Last fall, I led a delegation of more than 60 Missouri business and agricultural leaders to China, where we signed agreements to sell \$4.6 billion worth of Missouri products.

Because, I don't know about you ... but I think it's time the guy in Beijing walked into his local store and saw "Made in America" stickers on the products he's buying.

Another part of our Missouri Works strategy is worker training.

In a global economy with constantly evolving technology, training and education can never stop.

We have established new higher-education programs like Caring for Missourians, Training for Tomorrow, MoHealthWINS, and our Nurse Training Initiative to prepare thousands more Missourians for rewarding careers that exist today.

Last year, we also increased Missouri's investment in our Customized Training Program by 50 percent. That record investment allowed us to train nearly 37,000 workers who are on the job now at more than 300 Missouri businesses.

As part of our Missouri Works strategy, the budget I present tonight continues our record investment in worker training for a second year, especially in high-tech areas so critical to modern manufacturing.

One of the growing companies we've helped with worker training is Meramec Electrical Products, which employs 130 people at its state-of-the-art facility in Crawford County.

Our Customized Training Program helped Meramec reduce production costs by 30 percent, become more competitive in the global market, and create 25 new jobs last year.

On behalf of all of our innovative small businesses, please welcome Meramec's CEO, Nick Sanazaro, and CFO Carolyn Sanazaro.

Now, let's talk about military veterans.

Honoring – and employing – our military veterans is another key element of our Missouri Works strategy.

During my last visit to Afghanistan, I was talking with a group of soldiers who were about to go out on patrol. As they were suiting up, I asked one of the soldiers what he was most worried about.

His answer surprised me. He didn't say he was most worried about facing the enemy that night. No. He looked me in the eyes and said, "Governor, I'm worried about whether there will be a job for me when I get home."

Folks, our job is to make sure the answer to that question is a resounding YES.

Every veteran who needs a job should be able to get one.

In 2009, we passed legislation to begin phasing out state taxes on military retirement income.

That law is a strong signal that we want military veterans to move to Missouri, to work in Missouri, and to make Missouri their home.

In 2010, we launched Show-Me Heroes, asking Missouri employers to put military veterans at the front of the line when they're hiring for new jobs. More than 1,700 employers have signed up to be part of this effort.

Tonight, I am proud to report that our Show-Me Heroes program has put more than 1,000 veterans back to work here in Missouri.

The Missouri Works strategy will expand the mission of Show-Me Heroes to include on-the-job training for National Guard, Reserve, and active-duty veterans who have recently left military service.

We'll continue to work tirelessly to create job opportunities for every veteran in our state.

The next pillar of Missouri Works is to accelerate investment in high-growth industries like science and technology.

With more than 1,000 agribusiness, life science, and biotech companies, Missouri is already home to some of the brightest minds and innovators in the world.

With the passage last year of the Missouri Science and Innovation Reinvestment Act, we are poised for rapid progress.

As part of Missouri Works, my budget includes \$4 million in seed capital to invest in attracting the very best science talent to Missouri.

By speeding the flow of innovations out of the lab and into the marketplace, we're growing these industries today and creating the high-tech jobs of tomorrow.

Finally, Missouri Works will help create jobs in rural communities.

Anyone who grew up in a small town like I did knows there's something special about them. Folks want their towns to be places where their kids can grow up safe, get a good education, find a job, and raise a family.

It wasn't all that long ago, just a generation or two, that folks made a decent living hand-sewing baseball uniforms in Licking ... making shoes in Piedmont ... or assembling typewriters in Springfield.

Those jobs may be gone, but our rural way of life is still strong.

Our Missouri Works plan will custom tailor a job-creation incentive for small-business owners in rural communities. Because we want every part of Missouri to move forward together.

We're also helping rural Missouri compete by dramatically expanding access to high-speed Internet.

Broadband access is a game-changer – for commerce ... for farming ... for education ... for health care ... for law enforcement and public safety.

Our extremely competitive MoBroadbandNow initiative is bringing a total investment of \$311 million through 18 projects to wire communities across Missouri.

Let me give you an example. Over in Otterville, we've hooked up the local school through our partnership with Sho-Me Technologies. This has significantly expanded their ability to provide web-based classes using streaming video.

Just as the railroads and interstates changed the face – and the fate – of Missouri communities in decades past, this project will help shape Missouri's future from Otterville to New London and everywhere in between.

Rural communities are a proud part of Missouri's past. They're also a vital part of Missouri's future – especially when it comes to agriculture.

Missouri farmers feed, fuel and clothe the world.

And with 108,000 farms generating more than \$12 billion annually, agriculture is truly the backbone of Missouri's economy.

We want to keep Missouri agriculture growing, and our rural way of life strong. That's why I am committed to working with our farmers to open new markets, improve energy efficiency, and use the latest science and technology to make Missouri agriculture even more competitive.

Folks like Bob and Kay Vandiver are a major part the success of Missouri agriculture. Bob's parents raised a few cattle – simply trying to make a living off the land. But he and Kay have turned that farm into one of the largest in our state. It's a lasting legacy – one that will be handed down for generations.

On behalf of Missouri agriculture, please welcome one of the Show-Me State's outstanding farm families, the Vandivers: Bob, Kay, Gary, Dale, and Jake.

To compete in a changing global economy, Missouri must have world-class public schools.

Our public schools have always been – and will always be – beacons of hope, opportunity, and excellence for all.

No one is turned away.

Some children come to school hungry ... homeless.

Some bear the burdens of poverty and neglect.

But when a child of want ... and a child of wealth ... walk through our schoolhouse doors, they enter as equals.

Support for public education should not be used as a wedge to divide us.

Here in Missouri, public education is an enduring value that unites us.

Some states have opted to balance their budgets on the backs of schoolchildren.

Kansas cut its basic funding formula for K-12 schools by \$232 per child. Texas slashed \$4 billion from the education budget, triggering massive layoffs. South Carolina, Arizona, and California have each reduced funding per pupil by more than 20 percent.

But I haven't met one parent or one teacher in Missouri who thinks we should balance our budget by taking money from their kids' classrooms.

For the past three years, even in challenging budget times, we maintained level funding for K-12 classrooms.

This year, we'll take that next step.

The budget I present tonight provides record funding for our K-12 classrooms. Because that's the right thing to do.

Several urgent issues facing public education require our action this session.

First, we must find a solution that applies the foundation formula fairly and predictably.

We also know that we have more work to do with our urban school districts on both sides of the state – to make sure that every child in every community has an equal opportunity to succeed.

Just take a look at St. Louis. We've still got a long way to go, but we're seeing how strong leadership, dedicated teachers, and committed parents are making a real difference right now.

Students have shown academic improvement for four years in a row. The district is now operating with a balanced budget. The attendance rate is at 93 percent.

From my frequent discussions with teachers, administrators, and others – and through our work with organizations like Teach for America – it's clear that the St. Louis schools are finding their footing and are moving in the right direction.

We need to take steps to improve public education in a number of other areas, including charter schools.

Missouri has some strong charter schools, where inspired teachers with fresh ideas are giving children a top-notch education.

But let's be frank.

We also have charter schools where children are languishing in classrooms that aren't up to par academically, in schools that aren't well managed. And our students pay the price.

I call on the legislature to send to my desk a comprehensive charter school accountability bill that holds all charter schools – and their sponsors – to high standards of academic achievement and financial integrity.

Educating our children is a high calling, and those who answer the call deserve our support and respect. Good teachers get results. Great teachers transform lives.

We need to entice our best college students to become teachers in those urban and rural public schools that have the greatest needs. And once they're on the job, they must be accountable for what kids are learning.

Our economy is changing. And education can't stop at high school. Because by the next decade, nearly two-thirds of all jobs in the United States will require some kind of post-secondary education. That means more Missouri kids will need a college degree.

But too many families simply can't afford the cost of a college education.

So for the past three years, Missouri has tackled college affordability head-on.

While universities in other states were increasing tuition by double digits, we froze tuition in 2009 and 2010 at all our public colleges and universities.

Last year, I challenged our colleges to continue to hold down tuition.

As a result, enrollment at our public colleges has surged. Over the past three years, we've added 31,000 students. That's set a new record each fall.

And that's great news for our students, our schools, and the future of our state.

In another challenging budget year, our top priorities in funding for higher education must continue to be high-quality academic programs and student scholarships.

So, in addition to a record investment in K-12 classrooms, my budget will provide stable funding for our state college scholarships, including Bright Flight, Access Missouri, and A+.

Let me talk for a moment about that A+ program.

These scholarships cover tuition and fees at any public two-year college in the state for students who are willing to work hard, play by the rules, and give back to their communities.

Since I became your Governor, we've worked to add 110 new A+ schools. And the number of students in our A+ program has risen 30 percent.

This year, 12,500 Missouri students will take advantage of our A+ scholarships. Next year, we anticipate closer to 14,000 students will be A+ scholars.

We will continue to expand access to A+ scholarships to students all across our state.

Investing in college affordability is critical for continued economic growth. But we have to balance this budget.

And we all know that means we'll have to cut in other areas.

So, to balance our budget in a way that protects our scholarships and academic programs, I am calling on all our colleges and universities to continue to look for more ways to cut overhead and administrative costs and run smarter, more efficient operations.

While leaner, more efficient operations are essential, higher education must continue to adapt for the modern economy. Public colleges and universities must change their business models.

Let me give you an exciting example of what one school is doing.

Earlier this month, the University of Central Missouri unveiled a new model called the Innovation Campus, and it has the potential to transform how we educate students.

Innovation Campus students will enroll in college courses while still in high school, and then participate in high-impact apprenticeships throughout the college curriculum. Corporate partners will underwrite tuition scholarships, and faculty and employers will partner to guide each student.

The expected results?

Students get a running start on college requirements;
They learn the practical skills necessary for excellent careers;
They can earn a degree in three years or less;
Business partners will recruit and build their workforce for the future;
And, costs for students are dramatically reduced.

I encourage all our universities to take the lessons of the Innovation Campus to heart and develop similar programs.

When we come together – and take that extra step – we are proving that there is no limit to what Missourians can accomplish.

Working together, we passed landmark legislation to ensure that children with autism get the therapy they need.

For too long, insurance companies weren't required to cover the most effective autism therapies. But that changed last year. And now, 1.6 million Missourians have plans that cover autism treatments.

This year, I call on the General Assembly to pass legislation to increase access to care by expanding the number of licensed professionals working with children with autism in Missouri.

That's what we can accomplish when we take that extra step.

Working together, our Partnership for Hope is changing the lives of Missourians with developmental disabilities and their families.

Before this compassionate program was in place, some folks waited years for services to help their loved ones live more independently – help with things like getting dressed, cooking meals, taking the bus to work.

But now, our Partnership includes 91 Missouri counties and the City of St. Louis, and serves 1,300 people with developmental disabilities.

This year, we'll keep expanding the Partnership, improving lives and saving money over the long run.

That's what we can accomplish when we take that extra step.

Last year, we reauthorized Missouri Rx, a vital program that cuts the cost of prescription drugs for 215,000 Missouri seniors and people with disabilities.

When that lifeline was in jeopardy last year, folks across our state came together to protect these vulnerable citizens. And my budget continues full funding for this program.

That's what we can accomplish when we take that extra step.

By working together, by taking that extra step, we've achieved a lot for our state.

We've shown that the partisan gridlock in Washington hasn't taken hold here in Missouri.

But we have more work to do.

That includes balancing our budget and holding the line on taxes.

That includes putting the Missouri Works strategy in place to create jobs and keep our economy growing.

That includes making a record investment in K-12 classrooms, keeping college affordable, and helping all Missouri children achieve their dreams.

And that also includes passing strict campaign contribution limits.

I've called for contribution limits every year – and I'm going to keep on doing it until we change the law.

When one person with an ax to grind can make an unlimited contribution to advance a narrow agenda ... when lobbyists for powerful interests can tip the balance of an election ... the very foundations of our democracy are at risk.

Unlimited contributions are overriding the will of the people ... and undermining the principle of free and fair elections.

Missouri needs strict limits on campaign contributions.

Let's finally get it done.

Growing up in De Soto, I learned a lot about public service at the kitchen table.

My parents were deeply committed to our community and to public service. Dad was the Mayor. Mom served on the school board.

In our town, when folks needed help they'd call the house. Usually at suppertime.

We didn't have No-Call Lists back then.

Whatever the complaint or request, I don't ever recall hearing my parents ask: Are you a Democrat or a Republican? Or did you vote for me?

Because that's not what public service is about.

When you hold public office ... you represent everyone.

We saw the best of public service in action in every corner of Missouri last year. But one man stands out as a shining example. His name is C. J. Huff.

Dr. Huff is the superintendent of Joplin schools. The tornado damaged or destroyed 10 of their buildings. Joplin High was left in ruins. C. J. feared that if the schools didn't open on time, families would start to leave town. He was not about to let that happen.

So C. J. rallied his forces: parents and teachers; students and civic leaders; carpenters and plumbers ... and an army of volunteers.

In just 54 days, they turned an empty department store at a shopping mall into a high-tech high school.

Not only did all of Joplin's schools open on time, nearly 95 percent of the students showed up on that first day.

Folks, that was amazing to see.

Please welcome an outstanding leader: Superintendent C.J. Huff.

Public service matters.

What we do here matters.

But in a world of term limits, skeptics say we can't get much accomplished.

In a world of hyper-partisanship, cynics say we can't find common ground.

To them I say: Just watch us.

Whether you're from the big city or a small town.

Whether you make your living on the farm or in a lab.

Whether you're a Democrat, a Republican, an Independent – or none of the above.

We're all Missourians first.

And here in Missouri, we're not defined by our differences.

We're defined by our shared values.

Values that give us the strength to face whatever tomorrow brings ... with faith and optimism.

There's a lot of uncertainty in this life.

We can't control the weather.

We can't always see what tomorrow will bring ... but one thing is clear.

Through storms and floods and hard times, the good people of Missouri never give up or give in. Even in our darkest hours, the spirit will prevail.

And when people of good faith and good will work together ... nothing can stop us.

Together, we will continue to balance this budget without raising taxes.

Together, we will continue to create more jobs, better schools, and more compassionate communities.

And, Quinton, I pledge to you that we will continue to work together to take that extra step ... and keep Missouri moving forward.

It is an honor to serve as your Governor.

I am grateful for the opportunity you have given me and for the trust you have placed in me.

With your help – and God's grace – we'll continue to show strong leadership to move Missouri toward brighter days ahead.

Thank you and God bless.

The Joint Session was dissolved by Senator Dempsey.

Speaker Tilly resumed the Chair.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 60, introduced by Representatives Black, Brown (50) and Molendorp, relating to the general assembly.

HJR 61, introduced by Representatives Loehner, Fisher, Fitzwater, Asbury, Dugger, Smith (150), Guernsey, Cauthorn, Lant, Wallingford, Johnson and Korman, relating to raise animals.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1316, introduced by Representatives Riddle, Pollock, Crawford, Koenig, Schad, Entlicher, Cauthorn, Korman, Houghton, Meadows, Kelly (24), Lair, Day, Gatschenberger, Davis, Fisher, Dugger, Smith (71), Ruzicka, McGhee, Bernskoetter, Redmon, Funderburk, Scharnhorst, Jones (89), Shumake, Conway (14), Schatz, Barnes, Molendorp, Gosen, White, Stream, Thomson, Asbury, Fitzwater, Loehner, Weter, Cross, Nance, Sater, Cox, Curtman, Hoskins, Franklin, Wyatt, Lampe, Hummel, Pierson, Montecillo, Lant, Diehl, Cierpiot, Schoeller, Denison, Rowland, Burlison, Frederick, Kelley (126), Long, Lasater, Wells, Bahr, Brown (85), Grisamore, Fuhr, Carter, Pace, Reiboldt, Sifton, Atkins, Colona, Johnson, McCaherty, McGeoghegan, Schieffer, Webb, McDonald, Walton Gray, May, Rizzo, Spreng, Dieckhaus and Haefner, relating to the regulation of public utilities.

HB 1317, introduced by Representatives Riddle, Torpey, Still, Oxford, Davis, McGhee, Pace, Grisamore and Reiboldt, relating to child abuse.

HB 1318, introduced by Representatives Riddle, Houghton, Oxford, Davis, McGhee, Grisamore, Reiboldt and Pace, relating to employees of certain mental health facilities.

HB 1319, introduced by Representatives Riddle, Smith (150), Koenig, Brattin, Bahr, Kelley (126), Crawford, Entlicher, Wells, Korman, Cauthorn, Houghton, Davis, Franz, Funderburk, Grisamore and Reiboldt, relating to concealed carry endorsements.

HB 1320, introduced by Representatives Still, Aull, Kander, Webber, Ellinger, Oxford, Schupp, Atkins, Kratky, McGeoghegan, McNeil, Swearingen, Pace, Neuman, Hodges, Talboy, McManus, Sifton, Lampe, Smith (71), Quinn, Hummel, McDonald, Nichols, Pierson and Harris, relating to campaign contributions.

HB 1321, introduced by Representatives Guernsey, Rowland, Crawford, Shively, Fraker, Wright, Redmon, Korman, Houghton, Hodges, Cauthorn, Pollock, Higdon and Wells, relating to tax exemptions for captive wildlife.

HB 1322, introduced by Representatives Black, McGhee, Brown (50) and Oxford, relating to a mental health assessment pilot program.

HB 1323, introduced by Representatives Black, Oxford, McGeoghegan, Meadows, Fallert, Casey and Brown (50), relating to unlicensed child care providers.

HB 1324, introduced by Representatives Loehner, Fisher, Fitzwater, Asbury, Dugger, Smith (150), Guernsey, Cauthorn, Lant, Wallingford, Johnson and Korman, relating to the right to raise domesticated animals.

HB 1325, introduced by Representative Cox, to authorize the conveyance of property owned by the state in Pettis County to the City of Sedalia.

HB 1326, introduced by Representatives Cox, Smith (150), Largent, Bernskoetter, Franz, Cierpiot, Schad and Kelley (126), relating to business premises safety.

HB 1327, introduced by Representatives Cox and Largent, relating to disclosure of certain foster care licensure information.

HB 1328, introduced by Representatives Cox, Wells, Rizzo, Jones (63), Talboy, Hummel, Holsman, McManus, Hughes, Walton Gray, Pace, Webb, May, Kratky, Casey, Carter, Schad, Gatschenberger, Frederick, Bernskoetter, Brown (116), Franz, Sater and Jones (89), relating to controlled substances.

HB 1329, introduced by Representatives Silvey, Tilley, Talboy, Lampe and Jones (89), relating to temporary registration permits.

HB 1330, introduced by Representatives Jones (117), Schad, Richardson, Largent, Webber, Elmer, and Houghton, relating to procedure for change of venue in counties with average yearly inmate populations in excess of one thousand inmates.

HB 1331, introduced by Representatives Jones (117), Houghton, Richardson, Hough, Webber, Bernskoetter, and Elmer, relating to reciprocal transfer of creditable service for state retirement systems.

HB 1332, introduced by Representatives Schoeller, Pollock and Schad, relating to infrastructure replacement surcharges.

HB 1333, introduced by Representative Sater, relating to school vision examinations.

HB 1334, introduced by Representatives Meadows, Torpey, Brown (50), Schad, McGhee, Hummel and Webber, relating to the use of hand-held electronic communications devices by persons operating motor vehicles for compensation while transporting passengers.

HB 1335, introduced by Representatives Leara and McGeoghegan, relating to distribution of local sales taxes.

HB 1336, introduced by Representatives Cierpiot, Schad, Torpey, Jones (117), Taylor, Klippenstein and Webber, relating to tax and fee amnesty.

HB 1337, introduced by Representative Stream, relating to cardiopulmonary resuscitation instruction in schools.

HB 1338, introduced by Representatives Wells, Dugger, Weter, Entlicher, Lant, Lauer, Kelley (126), Denison and Crawford, relating to military appreciation highway signs.

HB 1339, introduced by Representatives Wells, Davis, Brown (116), Weter, Entlicher, Lant, Lauer, Nance, Oxford, Denison, Kelley (126), Pollock, Swinger, Higdon, Largent, Webb, Cross, Smith (150), Solon, Grisamore, McGhee, White, Houghton, Hubbard, Spreng, Nichols, Cox, Meadows, Zerr, Schieffer, Richardson, Dugger, McNary, Molendorp, Hoskins, Hodges, Pace, McGeoghegan, Walton Gray, Fallert, Hinson, Frederick, Riddle, Burlison, Brown (50), Wallingford, Kelly (24), Fraker, Cauthorn, Conway (14), Brattin, Day, Wyatt, Lair, Shumake, Schad, Fisher, Funderburk, Scharnhorst, Redmon, Rowland, McDonald, Aull, Holsman, Colona, Hummel, Kratky, Sifton, Atkins, Casey, Carlson, Jones (63), McCann Beatty, Pierson, Talboy, Harris, Shively, Black, Quinn, Conway (27), Still, Lampe, Newman, McManus, Carter, Anders, Swearingen, Smith (71), Asbury, Bandom, Thomson, Jones (117), Stream, Bernskoetter, Wright, Elmer, Neth, Korman, Cookson, Fitzwater, Lasater and Crawford, relating to vision examinations for school children.

HB 1340, introduced by Representatives Dugger, Wells and Crawford, relating to county officers.

HB 1341, introduced by Representatives Dugger, Pollock, Wells and Crawford, relating to utilities.

HB 1342, introduced by Representatives Smith (150), Bahr, Fitzwater, Crawford, Tilley, Pollock, Entlicher, Lair, Wallingford, Stream, Houghton, Schad, Cross, Wieland, White, Curtman, Bandom, Frederick, Schatz, Brattin, Lichtenegger and Schoeller, relating to a prevailing defendant recovering litigation costs.

COMMITTEE APPOINTMENTS

January 17, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Speaker Steven Tilley and Representative Tim Jones as members of the Administration and Accounts Committee and appoint Representative Mike Leara and Representative Dwight Scharnhorst as members.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

WITHDRAWAL OF HOUSE BILL

January 17, 2012

Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 West Capitol Avenue
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

I respectfully request that **House Bill No. 1120**, military appreciation on highway signs, be withdrawn.

If you have any questions regarding this business, please contact the office at (573) 751-1490.

/s/ Don Wells
District 147

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 18, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixth Day, Thursday, January 12, 2012, Page 67, Line 33, by deleting the words “Renewable Energy” on said line, and inserting in lieu thereof the words, “Disability Services”.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1212, HB 1254

Executive session may be held on any matter referred to the committee.

Lunch will be provided.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 4.

Public testimony: Call or e-mail Eric Jacquin at (573) 751-9458 or Eric.Jacquin@house.mo.gov if you are interested in testifying.

APPROPRIATIONS - EDUCATION

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.

Public testimony continued.

Please call Gregg at 751-2917 to schedule a public testimony time slot.

CANCELLED

APPROPRIATIONS - EDUCATION

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.
DESE budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 18, 2012, 12:00 PM House Hearing Room 3.
–Organizational meeting.
–Departments and agencies are not required to attend.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 19, 2012, House Hearing Room 7 Upon Morning Adjournment.
Executive session may be held on any matter referred to the committee.
Public testimony. Please call (573) 751-5458 to register for testimony.
Meeting may last several hours, please plan accordingly.
Lunch will be provided.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 6.
Public testimony - Please call Rep. Kelly's office at (573) 751-4189 if you plan to testify at this hearing 24 hours prior to hearing date.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 7.
Organizational hearing.
The committee will hear public testimony on MoDOT, DED, DIFP, and DOLIR.
If you plan to testify, please contact Rep. Denny Hoskins' office [(573) 751-4302] 24 hours prior to hearing.

CORRECTIONS

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 5.
Informational meeting.

DOWNSIZING STATE GOVERNMENT

Thursday, January 19, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1094
Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, January 24, 2012, 7:30 AM House Hearing Room 7.
Public hearing will be held: HB 1104, HB 1036, HB 1059, HB 1060, HB 1106
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 18, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1043
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY

Monday, January 23, 2012, 5:00 PM House Hearing Room 1.

Presentation by MOCIA, Captive Insurance Agencies.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, January 19, 2012, 8:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.

Continuation of forum to discuss I-70.

Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

CORRECTED

LOCAL GOVERNMENT

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 1037, HB 1210, HB 1143, HB 1255, HB 1177

Executive session may be held on any matter referred to the committee.

CORRECTED

RETIREMENT

Thursday, January 19, 2012, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 1039

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Monday, January 23, 2012, 6:00 PM 3702 W. Truman Blvd.
Organizational meeting.

**SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND
ACCOUNTABILITY**

Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

TRANSPORTATION

Wednesday, January 18, 2012, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 1155

Executive Session will be held: HB 1155

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

EIGHTH DAY, WEDNESDAY, JANUARY 18, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 60 and HJR 61

HOUSE BILLS FOR SECOND READING

HB 1316 through HB 1342

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 43 - Burlison

HOUSE BILLS FOR PERFECTION

1 HB 1135 - Smith (150)

2 HCS HB 1140 - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

EIGHTH DAY, WEDNESDAY, JANUARY 18, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord taketh pleasure in them that fear Him, in those that hope in His mercy. (Psalm 147:11)

God of Life and Light, by Whose love we have the gift of a new day, we thank You for this moment of prayer when we may draw close to You and let You draw close to us – as we face the demanding duties of these hours. From the noise of the outer world we would turn to the quiet of the inner world where in quietness and in confidence we may find strength in You for this day.

Help us to accept our privileges with thanksgiving, to carry our responsibilities with honor, to meet our difficulties with courage, and to discharge our duties with fidelity. Whatever good we do this day – may we do it with cheerfulness and with all sincerity of mind and heart, and to You shall be the praise world without end.

And the House says, “Amen!”

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lydia Bommel, Tyler Molendorp and Blake Molendorp.

The Journal of the seventh day was approved as printed.

SPECIAL RECOGNITION

The Camdenton Lakers High School Robotics Team was introduced by Representative Franklin and presented a resolution.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 205 through House Resolution No. 285

HOUSE CONCURRENT RESOLUTION

Representative Shively, et al., offered House Concurrent Resolution No. 14.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 60 and **HJR 61** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1316 through **HB 1342** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 43, relating to limits on state appropriations, was taken up by Representative Burlison.

HCS HJR 43 was laid over.

MOTION

Representative Jones (89) moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Cauthorn

PRESENT: 000

ABSENT WITH LEAVE: 004

Dieckhaus	Meadows	Nance	Swearingen
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JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Peter Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 031

Brown	Callahan	Chappelle-Nadal	Crowell	Curls
Dempsey	Dixon	Engler	Goodman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Cunningham	Green	Purgason
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The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 148

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon

Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Atkins

ABSENT WITH LEAVE: 014

Dieckhaus	Holsman	Kander	Largent	Meadows
Nance	Nasheed	Phillips	Ruzicka	Still
Swearingen	Thomson	Wallingford	Webb	

The Doorkeeper announced the approach of the Honorable Richard B. (Rick) Teitelman, Chief Justice of the Supreme Court of Missouri. Chief Justice Teitelman was duly escorted to the House Chamber and to the Speaker's dais where he delivered the following message to the assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS

by

Chief Justice Richard B. (Rick) Teitelman

Mr. Speaker, Mr. President, Mr. President Pro Tem, Mr. Auditor, Mr. Attorney General, members of the General Assembly: Thank you for welcoming me here this morning. It is my honor to deliver this 39th state of the judiciary address. I also want to thank the staffs of the House Clerk and the majority leader as well as our maintenance staff, who were kind enough to help make accommodations for me to be able to deliver this speech to you today.

As President Reagan once said, "There are no constraints on the human mind, no walls around the human spirit, no barriers to our progress except those we ourselves erect." My humble thanks to you.

I also want to thank you for your continued cooperation in working with our branch of government. I think the founders of our great nation would have been so proud of you and your predecessors in welcoming the chief justice and the governor into this beautiful chamber to talk with you each year.

In light of this week's recognition of Dr. Martin Luther King Jr., I want to mention a true gem of the state – Frankie Freeman – a 95-year-old African-American woman who is being honored as the St. Louis Citizen of the Year and who has spent most of her 95 years marching as a true drum major for justice.

I was appointed to serve on the Supreme Court in 2002. I have been proud to serve there in the company of some of the finest jurists our state has ever known. I want to take a moment now to recognize my colleagues on the Court, who make every day of my job there special. I start by introducing to you our newest member, Judge George Draper III. Judge Draper – who is only the second African-American ever to serve on our state’s high court – is from St. Louis, where he spent 11 years on the Court of Appeals, preceded by six years as a trial judge in St. Louis County, and before that, he served as chief trial attorney in the city’s circuit attorney’s office. Judge Draper, we are honored for the opportunity to serve alongside you. I also want to recognize Judge Ray Price, whose very big shoes I have to try to fill as chief justice; Judge Patty Breckenridge; Judge Zel Fischer; Judge Mary Russell and Judge Laura Stith.

It is important for me to mention all of these judges to you because the leadership for the judicial branch of government comes from all these fine men and women who are serving and who have served on the Supreme Court. I also would add my accolades to recognize our esteemed former clerk, Tom Simon, who retired at the end of May after serving with distinction for four decades as clerk of the Supreme Court of Missouri. Just to give you an idea of the kind of change Tom saw during his time at the Court ... the year he began his career, Richard Nixon was our president; you could buy a stamp for 8 cents, a gallon of gas for 40 cents and a movie ticket for \$1.50; Walt Disney World opened in Orlando; the NASDAQ debuted; and television advertising of cigarettes ended. During his career at the Court, Tom did much to cultivate relationships among our branches of government. His kindness and thoughtfulness to all helped open dialogue and build friendships over time. We value those relationships. In his first inaugural address, Abraham Lincoln promoted a unifying focus on friendship and the things that bind us in affection by calling upon “the better angels of our nature.”

I remember sitting here in this chamber for the first time, listening to then-Chief Justice Steve Limbaugh Jr. giving his state of the judiciary address to your predecessors. As the grandson of former state Rep. Rush Limbaugh, he focused much of his time as chief justice talking about the honor of public service as well as the importance of those citizens we all serve. Thankfully, as he noted then, we don’t have to do it all by ourselves. We have many judges in this state who serve not only their courts but also their local communities with dignity and integrity.

One judge in particular has been the source of much Missouri pride in recent months. Judge Jimmie Edwards, a circuit judge in St. Louis City, believed there needed to be an alternative to incarceration for juveniles who deserve a second chance through education. So in collaboration with 45 community partners, he took over an abandoned school and opened the Innovative Concept Academy in 2009. The academy, which serves as a “school of last resort” for at-risk youth between the ages of 10 and 18 years, recently has received a number of national accolades. People magazine named Judge Edwards as one of its 2011 Heroes of the Year, and the academy was featured on the Today show last month. But the academy’s biggest success is that it has changed the lives of many young people, helping them to turn away from problems such as gang violence. So far, 18 students have earned their high school diplomas or GED, and two of them have gone on to college. Judge Edwards is here this morning along with some of his students. Would you please stand and be recognized? We could not be more proud of you!

Many court employees throughout the state went to Joplin following the disaster to help the courageous citizens of Joplin rebuild their lives and their community. Our hearts go out to everyone affected by this disaster – and our appreciation goes to everyone who lent a helping hand. Vince Lombardi said, “Individual commitment to a group effort – that is what makes a team work, a company work, a society work, a civilization work.” I am so proud to live in a state that works as well as it does because its citizens and public servants are so generous with their prayers and other assistance and are so willing to work together.

Much can be accomplished when, as Thomas Jefferson encouraged, we “unite with one heart and one mind.” We owe many thanks for the bipartisan effort to improve criminal justice to Speaker of the House Steve Tilley and President Pro Tem Rob Mayer – as well as Governor Jay Nixon and former Chief Justice Ray Price. I understand legislation soon will be introduced to implement the recommendations of a broad-based committee led by Senator Jack Goodman and Representative Chris Kelly. I support your efforts to help make sentencing practices more cost-effective, helping Missouri to become, as Judge Price stressed so often, both tough *and* smart on crime.

We also owe you many thanks for helping the courts with their efforts in the area of technology. The state court administrator’s office has undertaken a remarkable cooperative effort to help make our records more accessible through electronic filing. If any of you want a demonstration of how the system works, just let us know, and we will be happy to show you!

A wise man once said the worst kind of death is being talked to death. As we come to the end of my speech, I am reminded by the quote carved into the dais behind me of the privilege of public service. That quote reflects our state motto, “Salus Populi Supreme Lex Esto,” which means, “Let the welfare of the people be the supreme law.” I look forward to working with you and getting to know many of you better throughout my time as chief justice. I am humbled to serve alongside you.

I also have learned the worst place to be is between a person and lunch. The Missouri Bar has been gracious enough to sponsor a lunch in the third-floor rotunda, with fried chicken and all the fixings ... and they’ve added for the first time – for a little bit of variety – knishes, a traditional Jewish dish. Enjoy!

Thank you. God Bless America!

The Joint Session was dissolved by Senator Dempsey.

Speaker Pro Tem Schoeller resumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 43, relating to limits on state appropriations, was again taken up by Representative Burlison.

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution No. 43, Page 1, Section 23(a), Line 1, by deleting the words, “**27(a) and 27(c)**” and inserting in lieu thereof the words, “**27(a), 27(c), and 27(d)**”; and

Further amend said bill, section, page, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

“of zero or the sum of the annual rate of inflation, the annual percentage change in the population of Missouri, and one and one-half percent of the previous fiscal year total state general revenue collections;”; and

Further amend said bill, section, page, Lines 9-10, by deleting all of said lines and inserting in lieu thereof the following, “**Index for All Urban Consumers for the United States, annual average of the most recent calendar year;**”; and

Further amend said bill, section, Page 2, Line 19, by deleting the words, “**fiscal year 2008**” and inserting in lieu thereof the words, “**a fiscal year**”; and

Further amend said bill, section, page, Line 22, by inserting after the word, “**reappropriations,**” the following, “**appropriations from general revenue required by this section and sections 27(a), 27(c), and 27(d)**”; and

Further amend said bill, section, page, Lines 26-27, by deleting all of said lines and inserting in lieu thereof the words, “**2. For any fiscal year subsequent to a fiscal year in which total state general revenue appropriations exceeded total state general revenue appropriations for fiscal year 2008, total state general revenue appropriations shall not exceed total state general revenue appropriations for the immediately preceding fiscal year by**”; and

Further amend said bill, section, page, Line 31, by deleting the words, “**they are passed**” and inserting in lieu thereof the words, “**the additional revenue is collected**”; and

Further amend said bill, section, page, Line 36, by inserting after the word, “**state**” the words, “**general obligation**”; and

Further amend said bill, section, page, Line 40, by inserting after the word, “**transfer**” the following:

“thirty-three percent of the excess funds over two and one-half percent to the cash operating reserve fund established by section 27(a) of this article and sixty-seven percent of”; and

Further amend said bill, Page 3, Section 23(a), Line 48, by deleting the words, “**simple majority**” and inserting in lieu thereof the words, “**vote of two-thirds**”; and

Further amend said bill, Page 5, Section 27(a), Line 60, by inserting opening and closing brackets “[]” around the words, “the sum of”; and

Further amend said bill, section, page, Line 62, by deleting the words, “**section 23(a)**” and inserting in lieu thereof the words, “**section 27(a)**”; and

Further amend said bill, section, page, Line 64, by deleting all of said line and inserting in lieu thereof the following, “shall stand appropriated and shall be transferred from the general revenue fund to the [budget] **cash operating**”; and

Further amend said bill, Page 6, Section 27(c), Line 30, by deleting all of said line and inserting in lieu thereof the following, “**and any amounts owed to the fund for the same year, is less than**”; and

Further amend said bill, Page 6, Section 27(d), Line 2, by deleting the word, “**with**” and inserting in lieu thereof the word, “**within**”; and

Further amend said bill, page, section, Line 6, by deleting the word, “**commission**” and inserting in lieu thereof the word, “**commissioner**”; and

Further amend said bill, page, section, Line 17, by deleting the words, “**vote of two-thirds**” and inserting in lieu thereof the words, “**simple majority vote**”; and

Further amend said bill, Page 7, Section 27(d), Lines 21-24, by deleting all of said lines and inserting in lieu thereof the following:

“(1) The provisions of the commonsense obligation to provide accountability and spending stabilization act under sections 23(a), 27(a), 27(c), and 27(d) shall be effective once the total state general revenue appropriations for any fiscal year exceeds the total state general revenue appropriations for fiscal year 2008 and shall automatically sunset five years after the effective date of these sections unless reauthorized by an act of the general assembly; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Montecillo offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Joint Resolution No. 43, Page 1, Line 20, by inserting after said line the following:

“Further amend said bill, section, page, Line 25, by inserting after the words, “**prevailing party.**” the words, “**Any increase in funding above the appropriation growth limit up to fully funding the foundation formula under subsections 1 and 2 of section 163.031 as the foundation formula exists when this section is approved by the voters will not be included in the calculation for the total state general revenue appropriations,**”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Montecillo, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 007

Bahr	Curtman	Franklin	Koenig	Marshall
Pollock	Wells			

PRESENT: 000

ABSENT WITH LEAVE: 013

Day	Dieckhaus	Holsman	Klippenstein	Largent
McGhee	Meadows	Nance	Riddle	Scharnhorst
Schneider	Swearingen	Webber		

On motion of Representative Kelly (24), **House Amendment No. 1, as amended**, was adopted.

Representative Smith (150) assumed the Chair.

On motion of Representative Burlison, **HCS HJR 43, as amended**, was adopted.

On motion of Representative Burlison, **HCS HJR 43, as amended**, was ordered perfected and printed by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Day	Dieckhaus	Grisamore	Largent
McGhee	Meadows	Nance	Riddle	Swearingen

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 43 - Fiscal Review

COMMITTEE REPORT

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 62, introduced by Representatives Schupp, Schieffer, Pace, Smith (71), Pierson, Hubbard, Walton Gray, Swearingen, Oxford, Hummel, Loehner, Weter, Zerr, Sater, Lant, Davis, McNary, Grisamore, Redmon, Houghton, McGhee and Atkins, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1343, introduced by Representative Scharnhorst, relating to the licensing of tanning facilities.

HB 1344, introduced by Representatives Nasheed, Hubbard, Walton Gray, Pace, Brown (50), Oxford, Smith (71) and McGhee, relating to expungement of certain criminal records.

HB 1345, introduced by Representatives Cauthorn, Dugger, Solon and Wallingford, relating to publication of the state manual.

HB 1346, introduced by Representatives Talboy, Carter, Sifton, Hoskins, Jones (63), Lampe and Rizzo, relating to student athlete agents.

HB 1347, introduced by Representative Franz, relating to preferences for state contracts.

HB 1348, introduced by Representatives Neth, Swearingen, Berry, Nolte and Silvey, relating to dance curriculum in public schools.

HB 1349, introduced by Representatives Jones (117), Rizzo, Barnes, Hoskins, Torpey and Berry, relating to irrevocable life insurance trusts.

HB 1350, introduced by Representatives Schupp, Ellinger, Taylor, Kirkton, Still, McNeil, Smith (71), Pace, Carlson, Schieffer, Lampe, Solon, Nichols, Anders, Swearingen, Oxford, Wallingford, Lant, Reiboldt, Berry, Weter, Webber, Hummel, Wieland, Nasheed, Davis, Fitzwater, Rowland, McNary, Redmon, McGhee, Conway (27), Hughes, Carter, Walton Gray, Pierson, May, Holsman, Kelly (24), Atkins, Talboy, Colona, McCann Beatty, Spreng, Tilley and Rizzo, relating to child-care facilities.

HB 1351, introduced by Representatives Schupp, Lampe, Schieffer, Pace, McManus, Pierson, Nichols, Hubbard, Anders, Hummel, Wieland, Weter, Nasheed, Zerr, Fitzwater, McNary, Grisamore, Redmon, McGhee, Atkins, Still, Spreng and Rizzo, relating to senior citizen homestead deferral of taxes.

HB 1352, introduced by Representatives Schupp, Taylor, Kirkton, Pace, McNeil, Carlson, Pierson, Oxford, Still, Hummel, McGhee, Conway (27) and Atkins, relating to the Missouri indoor clean air act.

HB 1353, introduced by Representatives Schupp, Kirkton, Pierson, Smith (71), Walton Gray, Swearingen, Oxford, Still, Hummel, Wieland, Loehner, Weter, Nasheed, Fitzwater, McGhee, Atkins, Wyatt and Spreng, relating to the University of Missouri board of curators.

HB 1354, introduced by Representatives Schupp, Jones (117), Pace, Schieffer, Smith (17), Walton Gray, Oxford, Hummel, Weter, Nasheed, Zerr, McNary, Grisamore, McGhee, Conway (27) and Spreng, relating to the sale of kosher food.

HB 1355, introduced by Representatives Lichtenegger, Frederick, Lant, Tilley, Allen, Davis, Zerr, Kirkton, Hough, Flanigan, Richardson, Schneider, Berry and Hampton, relating to insurance reimbursement for physical therapist services.

HB 1356, introduced by Representatives Funderburk, McNeil, White, McCaherty and Korman, relating to the implementation of the streamlined sales and use tax agreement.

HB 1357, introduced by Representatives Gatschenberger, Bahr and Johnson, relating to alternatives-to-abortion agencies.

HB 1358, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1359, introduced by Representatives Smith (150), Franz, Solon, Berry, Wells and Long, relating to state contracts.

HB 1360, introduced by Representative Rizzo, relating to police chief powers.

HB 1361, introduced by Representatives Pollock, Schad, Entlicher, Dugger, McNary, Riddle, Rowland, Cauthorn, Wells and Franklin, relating to utilities.

HB 1362, introduced by Representatives Schieffer, White, Wells, Oxford, Houghton, Harris, McGeoghegan, Fallert, Smith (71), Walton Gray, Schupp, Nichols, McGhee, Quinn, Anders, Loehner, Black, Bernskoetter, Wright, Swinger and Aull, relating to tax credits for donated food.

HB 1363, introduced by Representatives Schieffer, Klippenstein, Wells, Houghton, Fallert, Weter, Korman, Black, McGhee, Quinn, Shively, Redmon, Loehner, Bernskoetter, Sater, Ruzicka, Lauer, Dugger, Day, Wright, Guernsey, Swinger, Aull, Franklin, Smith (150), Fitzwater, Crawford and Hinson, relating to exhibition of livestock at fairs and exposés.

HB 1364, introduced by Representatives Schieffer, Klippenstein, Wells, Houghton, Harris, Fallert, Weter, Korman, McGhee, Quinn, Redmon, Shively, Loehner, Black, Sater, Ruzicka, Dugger, Day, Wright, Guernsey, Swinger, Aull, Franklin, Smith (150), Fitzwater, Crawford, Hinson and Hough, relating to rodeos.

HB 1365, introduced by Representatives Lasater, Jones (89), Torpey, Fitzwater, McNary, Haefner, Wyatt, Keeney, Grisamore, Phillips, Wright, Houghton, Higdon, Guernsey, Koenig, Long, Brown (116), Lauer, Cross, Bahr, Fraker, Cookson, Redmon, Kelley (126), Marshall, Nolte, McCaherty, Berry, Weter, Riddle, Hough and Cierpiot, relating to candidate disqualifications.

HB 1366, introduced by Representative Fitzwater, relating to teacher evaluation.

HB 1367, introduced by Representatives Fitzwater, Lasater and Fraker, relating to state employee performance reviews.

HB 1368, introduced by Representatives Fitzwater, Lasater, Cookson and Fraker, relating to field tests for controlled substances.

HB 1369, introduced by Representatives Fitzwater, Lasater, Cookson, Higdon, Brown (116) Jones (89), Marshall, Riddle, Fraker, Gatschenberger, Burlison, Leach and Schad, relating to the open carry of firearms.

HB 1370, introduced by Representatives Burlison, Tilley, Fisher, Nasheed, Funderburk, Scharnhorst, Riddle, Diehl and Jones (89), relating to incentives to attract amateur sporting events to Missouri.

HB 1371, introduced by Representatives Weter, Kirkton, Sater, Shively, Hough, McDonald, Loehner, Meadows, Redmon, Shumake, Fisher, Schieffer, Wallingford, Fitzwater, McGhee, Quinn, McCreery, Webb, Kelley (126), Schad, Largent, Carter, Higdon, Bahr and Conway (14), relating to collaborative practice arrangements.

HB 1372, introduced by Representatives Jones (117), Richardson, Jones (89) and Diehl, relating to a prescription drug monitoring program.

COMMITTEE CHANGES

January 17, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Swinger and appoint Representative Kirkton to the Committee on Health Care Policy.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Lincoln Hough as a member of the International Trade and Job Creation Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Mike Colona from the Special Standing Committee on Renewable Energy and appoint Representative Genise Montecillo.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint Representative Jonas Hughes to serve on the following Special Standing Committees:

Special Standing Committee on Disability Services
Special Standing Committee on Renewable Energy
Special Standing Committee on Government Oversight and Accountability

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

COMMUNICATION

January 18, 2012

D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Ira Anders
District 51

The following members' presence was noted: Dieckhaus and Meadows.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Thursday, January 19, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1212, HB 1254

Executive session may be held on any matter referred to the committee.

Lunch will not be provided.

CORRECTED

APPROPRIATIONS - EDUCATION

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.

DESE budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 23, 2012, House Hearing Room 3 Upon Afternoon Adjournment.

—Organizational meeting.

—Departments and agencies are not required to attend.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 3.

Public testimony. All individuals wishing to testify or speak before the committee must submit requests or notices with Chairman Parkinson's office prior to 5:00 PM on Monday, January 23, 2012.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 25, 2012, House Hearing Room 3 Upon Morning Adjournment.

Budget presentations on Public Debt and Office of Administration Debt.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 19, 2012, House Hearing Room 7 Upon Morning Adjournment.

Executive session may be held on any matter referred to the committee.

Public testimony. Please call (573) 751-5458 to register for testimony.

Meeting may last several hours, please plan accordingly.

Lunch will be provided.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 24, 2012, 2:00 PM House Hearing Room 3.

Public Safety budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 3.

DIFP budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 7.

DOLIR budget presentation.

DOWNSIZING STATE GOVERNMENT

Thursday, January 19, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HB 1094

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, January 24, 2012, 7:30 AM House Hearing Room 7.

Public hearing will be held: HB 1104, HB 1036, HB 1059, HB 1060, HB 1106

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, January 19, 2012, 9:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

HCS HJR 43.

HIGHER EDUCATION

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1041, HB 1042

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY

Monday, January 23, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1144, HB 1112

Presentation by MOCIA, Captive Insurance Agencies.

AMENDED

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, January 19, 2012, 8:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

First quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

CORRECTED

LOCAL GOVERNMENT

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 1037, HB 1210, HB 1143, HB 1255, HB 1177

Executive session may be held on any matter referred to the committee.

CORRECTED

RETIREMENT

Thursday, January 19, 2012, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 1039

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Monday, January 23, 2012, 6:00 PM 3702 W. Truman Blvd.

Organizational meeting.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND
ACCOUNTABILITY

Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

UTILITIES

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 1.

This meeting is an informational meeting.

HOUSE CALENDAR

NINTH DAY, THURSDAY, JANUARY 19, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 62

HOUSE BILLS FOR SECOND READING

HB 1343 through HB 1372

HOUSE BILLS FOR PERFECTION

- 1 HB 1135 - Smith (150)
- 2 HCS HB 1140 - Smith (150)

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 43, (Fiscal Review 1-18-12) - Burlison

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

NINTH DAY, THURSDAY, JANUARY 19, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God has not given us the spirit of fear; but of power, and of love, and of a sound mind. (II Timothy 1:7)

Eternal God, Who is the refuge of Your people in every age and our strength in this present hour - make Yourself real to us as we bow humbly in Your presence. Help us to recognize our dependence upon You, our constant need of Your strength, Your guidance, and Your love. Give us to know that You are always with us and that with You we can be made ready for every responsibility and equal to every experience.

We pray for peace in our world, for good will among our people and for a faith in You which makes us strong, gives us courage and helps us on our upward way. May Your spirit touch each one of us with healing power. Kindle our faith, make sensitive our consciences, dedicate our strength, fortify us in our difficulties and send us out strong in You and in the power of Your might.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 286 through House Resolution No. 304

HOUSE CONCURRENT RESOLUTIONS

Representatives Cauthorn and McGhee offered House Concurrent Resolution No. 15.

Representative Walton Gray, et al., offered House Concurrent Resolution No. 16 through House Concurrent Resolution No. 21.

Representative Fisher, et al., offered House Concurrent Resolution No. 22.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 62 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1343 through **HB 1372** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 43, relating to limits on state appropriations, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HJR 43** was read the third time and passed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 054

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 004

Dieckhaus	Klippenstein	Nance	Swearingen
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Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 12 - Veterans

HCR 13 - Tourism and Natural Resources

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 41 - Elections

HJR 49 - General Laws

HJR 61 - Emerging Issues in Animal Agriculture

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1030 - Budget

HB 1051 - General Laws

HB 1055 - Ways and Means

HB 1057 - Crime Prevention and Public Safety

HB 1075 - Health Care Policy

HB 1117 - Transportation Funding and Public Institutions

HB 1125 - Crime Prevention and Public Safety

HB 1130 - Economic Development

HB 1131 - Workforce Development and Workplace Safety

HB 1137 - Judiciary

HB 1138 - Retirement

HB 1139 - Retirement

HB 1145 - Children and Families

HB 1146 - Small Business

HB 1151 - Professional Registration and Licensing

HB 1156 - Transportation

HB 1164 - Economic Development

HB 1167 - Crime Prevention and Public Safety
HB 1182 - Ways and Means
HB 1184 - General Laws
HB 1190 - Crime Prevention and Public Safety
HB 1191 - Tourism and Natural Resources
HB 1211 - Local Government
HB 1228 - Elementary and Secondary Education
HB 1229 - Higher Education
HB 1234 - Crime Prevention and Public Safety
HB 1235 - Elections
HB 1243 - Economic Development
HB 1244 - Economic Development
HB 1245 - Economic Development
HB 1256 - Judiciary
HB 1258 - Children and Families
HB 1259 - Children and Families
HB 1260 - Children and Families
HB 1266 - Tourism and Natural Resources
HB 1268 - Local Government
HB 1269 - Transportation
HB 1270 - Crime Prevention and Public Safety
HB 1277 - Rural Community Development
HB 1281 - Veterans
HB 1287 - Veterans
HB 1298 - General Laws
HB 1302 - Special Standing Committee on Renewable Energy
HB 1311 - Economic Development
HB 1324 - Agriculture Policy
HB 1329 - Budget
HB 1342 - General Laws
HB 1344 - Urban Issues
HB 1370 - Economic Development
HB 1372 - Professional Registration and Licensing

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 63, introduced by Representatives Loehner, Houghton, Weter, Reiboldt, Fisher, Schad, Cauthorn, Fitzwater, Sater, Scharnhorst, Elmer and Smith (150), relating to agriculture.

HJR 64, introduced by Representatives Curtman, Schoeller, Jones (89), Smith (150), Koenig, Tilley, McCaherty, Higdon, Marshall, Schieber, Asbury, Bahr, Fuhr, Guernsey, Houghton and Schatz, relating to prohibiting laws interfering with freedom of choice in health care.

HJR 65, introduced by Representatives Walton Gray, Black, Pace, Webb, Smith (71) and Brown (50), relating to the general assembly.

HJR 66, introduced by Representatives Colona, McGeoghegan, Hummel, Webber, McManus, Carter, Holsman, Webb, Pierson, Ellinger, Rizzo, Newman, McCreery, Atkins, Walton Gray, Pace and Morgan, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1373, introduced by Representatives Asbury, Grisamore, Redmon, Houghton, Hoskins, Schad, Hampton, Wyatt, Lant, Fraker, Fitzwater, Schieffer, Quinn, Wells, Guernsey, Smith (150), Molendorp, Kelly (126), Loehner, Klippenstein, Pollock, Korman, Shumake, Lichtenegger, Cauthorn and Shively, relating to county annual budgets.

HB 1374, introduced by Representatives Neth and Talboy, relating to school accreditation.

HB 1375, introduced by Representatives Schad, Crawford, Entlicher, Wyatt, Korman, Houghton, Hodges, Shively, Cauthorn, Guernsey, Torpey, Pollock, Higdon, Denison, Wells and Dugger, relating to the designation of deer as livestock.

HB 1376, introduced by Representatives Cauthorn, McGhee and Funderburk, relating to legal tender.

HB 1377, introduced by Representatives Cauthorn, Reiboldt, Guernsey, Torpey, White and Solon, relating to condemnation proceedings.

HB 1378, introduced by Representatives Denison and Meadows, relating to the transport of manufactured homes.

HB 1379, introduced by Representatives Bahr, Kelley (126), Conway (14), Leach and Elmer, relating to the telemarketing no-call list.

HB 1380, introduced by Representatives Bahr, Conway (14), Koenig, Leach and Wells, relating to restrictive covenants.

HB 1381, introduced by Representatives Bahr, Koenig and Wells, relating to motor vehicle mileage taxes.

HB 1382, introduced by Representatives Cox, Ruzicka and Schad, relating to restitution.

HB 1383, introduced by Representatives Cox, Brown (116) and Rowland, relating to the transparency and accountability of public funds.

HB 1384, introduced by Representatives Cox, Smith (150), Largent and Bernskoetter, relating to consent for adoption of a child.

HB 1385, introduced by Representatives Cox, Fisher, Schad, Davis, Brown (116), Gatschenberger, McGhee, Wells and Rowland, relating to the Title X consistency and transparency act.

HB 1386, introduced by Representatives Aull, Shively, McNeil, Rowland and Hodges, relating to school funding.

HB 1387, introduced by Representatives Aull, Shively, Hodges and Quinn, relating to the school calendar.

HB 1388, introduced by Representatives Aull, Shively, Hodges and Quinn, relating to teacher tenure.

HB 1389, introduced by Representatives Kirkton, Conway (27), McCaherty, Oxford, Newman, McNeil, McCreery, Brown (50), Fuhr, Brown (85), Lair, Stream, Conway (14), Leach, Still, Holsman, Kelly (24), Long, Taylor, Sater, Lichtenegger, Carter, Atkins, Weter and Ellinger, relating to telephone calls.

HB 1390, introduced by Representatives Curtman, McCaherty, Wieland, Schieber, Houghton, Brattin, Koenig, Bahr, Marshall, Leach, Dugger, Berry, Schatz and Fuhr, relating to workers' compensation insurance.

HB 1391, introduced by Representatives Elmer, Fraker, Molendorp, Long, Leach, Hough, Dieckhaus, Denison, Schoeller and Lampe, relating to a surcharge on civil court cases.

HB 1392, introduced by Representatives Higdon, Rizzo, Hough, Fitzwater, Schneider and Diehl, relating to the purchase of commodity metals.

HB 1393, introduced by Representatives Gosen, McGhee, Klippenstein, Higdon and Franz, relating to unsecured loans of five hundred dollars or less.

HB 1394, introduced by Representatives Bandom, Hampton, Jones (117), Scharnhorst, Day, Schneider, Brown (85), Hough, Hinson, Loehner, Korman, Jones (89), Cross, McCaherty, Lauer, Smith (150), Houghton, Lichtenegger, Wells, Pollock and Diehl, relating to public assistance benefits.

HB 1395, introduced by Representatives Korman, Neth, Cauthorn, Hough, Hinson, Cierpiot, Funderburk, Gatschenberger, McGhee, Scharnhorst, Hummel, Diehl, Talboy, Elmer, Wright, Hampton, Houghton, Meadows, Aull, Cookson, Swinger and Richardson, relating to the land survey program.

HB 1396, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1397, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1398, introduced by Representative Gatschenberger, relating to property tax bills.

HB 1399, introduced by Representatives Richardson, Torpey, Frederick and Nichols, relating to interventional pain management.

HB 1400, introduced by Representatives Richardson, Crawford, Hampton, Barnes, Jones (117), Houghton, Schatz, Bandom and Lichtenegger, relating to the investment of certain public funds.

HB 1401, introduced by Representatives Richardson and Frederick, relating to certificate of need.

HB 1402, introduced by Representatives Burlison, Denison, Koenig, Jones (117), Riddle, Wyatt, Sommer, McNary, Molendorp, Frederick, Brattin, Wieland, Lauer, Berry, Curtman, Leach, Quinn and Keeney, relating to the transportation of household goods.

HB 1403, introduced by Representatives Schatz, Jones (89), Hough, Hampton, Fisher, Houghton, Davis, Brattin, Hinson, Crawford, Shumake, Asbury, Fitzwater, Cauthorn, Scharnhorst, Molendorp, Allen, Bernskoetter, Korman, Pollock, Wells, Franklin, Redmon, Diehl, Gosen, Kelley (126), Hoskins, Largent, Johnson, Entlicher, Brown (85), Lant, Reiboldt, Fraker, Sommer, Haefner, Lasater, Conway (14), Lair, Stream, Grisamore, Phillips, Wright and McNary relating to workers' compensation.

HB 1404, introduced by Representatives Reiboldt, Lant, Berry, Kelley (126), Cauthorn, Brattin, Frederick and Crawford, relating to the designation of Missouri pet breeders appreciation month.

HB 1405, introduced by Representatives Brown (50), Carter, Webb, McCreery, Kirkton, McCann Beatty, Hummel, Colona, Talboy, Pierson, Nichols, Smith (71), McDonald, Carlson, Morgan, Pace, Walton Gray, Ellington, Atkins, Hughes and Spreng, relating to the Missouri universal health assurance program.

HB 1406, introduced by Representatives Walton Gray, Higdon, Carter, Pace, Oxford, Atkins, Rizzo, McGeoghegan, Schieffer, Swearingen, Harris, Hodges, Conway (27), Carlson, Aull, Hummel, Webb, Jones (63), McCann Beatty, Nasheed, Pierson, Brown (50), Ellington, Smith (71), Casey, May, Morgan, Schupp, Fallert, McManus, Anders, Kratky, Black, Ellinger, Colona, Meadows, Schatz, Denison and Pollock, relating to the use of credit scores by insurance companies.

HB 1407, introduced by Representatives Walton Gray, Weter, Pace, McGeoghegan, Newman, Funderburk, Webb, Wallingford, May, Ellington, McCann Beatty, Sater, Carter, Hughes, Smith (71) and Brown (50) , relating to a sickle cell disease task force.

HB 1408, introduced by Representatives Walton Gray, Pace, McGeoghegan, Funderburk, Wallingford, Sater and Brown (50), relating to the designation of organ donor recognition day.

HB 1409, introduced by Representatives Walton Gray, Pace and Brown (50), relating to mortgages.

HB 1410, introduced by Representatives Walton Gray and Brown (50), relating to the duties of the board of probation and parole.

HB 1411, introduced by Representatives Walton Gray, Swearingen and Brown (50), relating to a task force on alternative confinement for victims of human sex trafficking.

HB 1412, introduced by Representatives Walton Gray, Fallert, Brown (50) and Meadows, relating to liquor control.

HB 1413, introduced by Representative Stream, relating to the crime of causing substantial injury to or the death of a service dog.

HB 1414, introduced by Representatives Colona, Webb, McManus and Hummel, relating to the second injury fund.

HB 1415, introduced by Representatives Colona, Conway (27), Sifton, Spreng, McDonald, Fallert, Newman, Kratky, McManus, Webb, Pierson, Hummel, Rizzo, McCreery, Atkins, Walton Gray, Pace and Morgan, relating to election procedures.

HB 1416, introduced by Representatives Colona, Jones (89), McManus, Ellinger, Talboy, Hummel, Walton Gray and Morgan, relating to courthouse security.

HB 1417, introduced by Representatives Colona, Kratky, McGeoghegan, Webb, McManus, Pierson, Hummel, Newman, Atkins, Walton Gray, Pace and Morgan, relating to workers' compensation.

HB 1418, introduced by Representatives Colona, Montecillo, Hummel, Rizzo, Webber, Newman, McCreery, Atkins, Walton Gray, Pace and Morgan, relating to public employee labor organizations.

HB 1419, introduced by Representatives Colona, Spreng, May, Kratky, Newman, McCreery, Walton Gray, Pace, Morgan and Anders, relating to text messaging while operating a motor vehicle.

HB 1420, introduced by Representatives Colona, Rizzo, Webb, Pierson, Newman, McCreery, Walton Gray, Pace and Morgan, relating to the creation of a death penalty commission.

HB 1421, introduced by Representatives Colona, McGeoghegan, Holsman, Spreng, Ellinger, Walton Gray, Pace and Morgan, relating to the use for marijuana for medicinal purposes.

HB 1422, introduced by Representatives Marshall, Lasater, Bahr, Higdon and Phillips, relating to DNA profiling.

HB 1423, introduced by Representatives Marshall, Lasater, Fuhr, Schad, Higdon and Phillips, relating to the water patrol division of the Missouri state highway patrol.

HB 1424, introduced by Representatives Marshall, Lasater, Bahr, Schieber, Fuhr, Schad, Higdon and Phillips, relating to the state highway patrol.

HB 1425, introduced by Representatives McNary, Dieckhaus, Burlison, Kelley (126), Jones (63), Klippenstein, Fitzwater, Lasater, Scharnhorst, Conway (14), Koenig, Curtman, Korman, Houghton, Neth, Diehl, Fuhr, Weter, Long, Brown (85), Gatschenberger, Cookson, Stream, Lair, Sommer, Cross, Taylor, Hoskins and Jones (89), relating to student progression.

HB 1426, introduced by Representatives Kratky, Anders, Carter, Smith (71), Schupp, Jones (63), McDonald, Pace and Oxford, relating to unlawful use of a weapon.

HB 1427, introduced by Representatives Kratky, Anders, Oxford, McGeoghegan, Berry, Schupp, Jones (63), Colona, Quinn, McDonald, Pace and Walton Gray, relating to a tax credit for certain small businesses.

HB 1428, introduced by Representatives Kratky, Anders, Smith (71), Schupp, Jones (63), McDonald, Pace and Walton Gray, relating to unlawful use of a weapon.

HB 1429, introduced by Representatives Kratky, Anders, Jones (63), Colona, McDonald, Pace and Walton Gray, relating to a tax credit for renovation of rental property.

HB 1430, introduced by Representatives Kratky, Anders, Berry, Wells, Schupp, Jones (63), Colona, McDonald, Pace and Oxford, relating to text messaging while operating motor vehicles.

HB 1431, introduced by Representatives Hoskins, Kelly (24), Cox, Bernskoetter, Hough, Long, McNary, Gosen, Brown (50), Grisamore and Denison, relating to sales of aviation jet fuel.

HB 1432, introduced by Representatives Hoskins, Lichtenegger, Jones (117), Brattin, Brown (85) and Davis, relating to professional therapy dogs.

HB 1433, introduced by Representatives Hoskins, Burlison, Schad, Jones (117), Diehl, Brown (116), Fitzwater, Pollock, Curtman, Davis, Lant, Korman, Hinson, Elmer, Loehner, Cierpiot, Brown (85), Asbury, Torpey, Crawford, Dugger, Shumake and Lauer, relating to roadside vegetation.

HB 1434, introduced by Representatives McGhee, Schneider and Cross, relating to sewerage and water services.

HB 1435, introduced by Representatives Schoeller, Wallingford, Davis, Wieland, Long, Elmer, Frederick, Lair, Lauer, Jones (117), Fraker, Stream, McCaherty, Fisher, Schatz, Houghton, Brattin, Barnes, Torpey, Hoskins, Leach, Koenig, Allen, Neth, Franz, Entlicher, Schneider, Tilley, Guernsey, White, Cookson, Smith (150), Phillips, Schad, Black, Harris, Hummel, McGeoghegan, Schieffer, Fallert, Hodges, Kratky, Swinger, McManus, Casey, Hampton, Quinn, Shively, Meadows, Brown (50), McGhee, Funderburk, Klippenstein, Burlison, Dugger, Thomson, Franklin, Berry, Weter, Riddle, Jones (89), Brown (85), Kelley (126), Sommer, Parkinson, Nance, Asbury, Cauthorn, Reiboldt, Scharnhorst, Bernskoetter, Wright, Lasater, Wells, Leara, Higdon, Shumake, Curtman, Nolte, Solon, Fuhr, Cierpiot, Haefner, Largent, Cross, Hinson, Lichtenegger, Bahr, Pollock, Molendorp, Rowland, Denison, Loehner, Brown (116), Gatschenberger, Cox, Brandom, Keeney, Diehl, Zerr, Johnson, Sater, Korman, Hough, Fitzwater, Crawford, Day, Grisamore, Gosen, Ruzicka and McNary, relating to tax credits for pregnancy resource centers.

HB 1436, introduced by Representatives Newman, Hummel, McCreery, Nichols, Pace, Morgan, Spreng, Kirkton, Jones (63), Colona, Webb, Carter, Holsman, Shively, Rizzo, Conway (27), Oxford, Schieffer, Pierson, Kratky, McDonald, Brown (50), Montecillo, McGeoghegan, Talboy, Aull, McNeil and Carlson, relating to Sean's Law.

HB 1437, introduced by Representatives Newman, Rizzo, McCreery, Nichols, Schupp, Pace, Morgan, Spreng, Kirkton, Jones (63), Sifton, Walton Gray, Carter, Shively, Conway (27), Schieffer, Pierson, Kratky, Oxford, McDonald, Brown (50), Montecillo, Hummel, Talboy, Aull, McNeil and Carlson, relating to domestic violence.

HB 1438, introduced by Representatives Newman, Carter, McCreery, Nichols, Schupp, Pace, Morgan, Spreng, Kirkton, Jones (63), Colona, Sifton, Walton Gray, Webb, Holsman, Shively, Rizzo, Conway (27), Schieffer, Lampe, Pierson, Kratky, Oxford, McDonald, Brown (50), McGeoghegan, Hummel, Talboy, Aull and Carlson, relating to elections.

HB 1439, introduced by Representatives Newman, Jones (63), McCreery, Nichols, Schupp, Pace, Morgan, Spreng, Kirkton, Colona, Smith (71), Sifton, Walton Gray, Webb, Carter, Holsman, Rizzo, Lampe, Pierson, Oxford, McDonald, Brown (50), Montecillo, Talboy, McNeil and Carlson, relating to increasing preventative health services in the state through the prevention first act.

HB 1440, introduced by Representatives Newman, Jones (63), McCreery, Nichols, Schupp, Pace, Morgan, Spreng, Kirkton, Colona, Sifton, Walton Gray, Webb, Carter, Rizzo, Lampe, Pierson, Oxford, McDonald, Brown (50), Montecillo, Talboy, McNeil and Carlson, relating to the duty of a pharmacy to fill prescriptions.

HB 1441, introduced by Representative Fisher, relating to employment law.

HB 1442, introduced by Representatives Smith (150), Dugger, Diehl, Schoeller, Entlicher, Jones (89), Scharnhorst, Curtman and Koenig, relating to vacancies in certain statewide offices.

HB 1443, introduced by Representative McGhee, relating to the establishment of a memorial highway.

HB 1444, introduced by Representatives Smith (150), Wells, Dugger, Houghton, Reiboldt, Crawford, Lichtenegger, Brattin, Davis, Cox, Lant, Entlicher, Johnson, Kelley (126), Redmon, Rowland, Loehner, Schad, Cauthorn, Fitzwater, Elmer and Funderburk, relating to confiscated animals.

HB 1445, introduced by Representatives Smith (71), Carter, Stream, McGeoghegan and Meadows, relating to tax credits for renovations for disability access.

HB 1446, introduced by Representatives McNeil, Sifton, McGeoghegan, Schupp, Pace, Spreng and Oxford, relating to an income tax deduction for certain tuition costs.

HB 1447, introduced by Representatives McNeil, Wyatt, McGeoghegan, Schupp, Pace, Spreng, McCann Beatty, Oxford and Lampe, relating to telemarketing practices.

HB 1448, introduced by Representatives Guernsey, Houghton, Wells, Dugger, Pollock and Thomson, relating to wages for work done on behalf of a school.

HB 1449, introduced by Representatives Berry, Rizzo, Talboy, Silvey, Cierpiot, Solon, Nance, Brown (50), Richardson, Swearingen, Long, Schieber, Holsman, Cross, Molendorp, Lasater, McCann Beatty and Morgan, relating to economic incentives.

COMMITTEE APPOINTMENTS

January 19, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Judicial Reform:

Representative Jason Smith, Chairman
Representative Stan Cox
Representative David Day
Representative Sue Allen
Representative Zack Wyatt
Representative Clem Smith
Representative Chris Kelly
Representative Michael Brown

Doug Funderburk, Vice Chairman
Representative Rodney Schad
Representative Don Gosen
Representative Kathie Conway
Representative Mike Lair
Representative Susan Carlson
Representative Mike Colona

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

COMMITTEE CHANGES

January 19, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Jonas Hughes from the following Special Standing Committees:

Special Standing Committee on Disability Services
Special Standing Committee on Renewable Energy
Special Standing Committee on Government Oversight and Accountability

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley

Speaker of the Missouri House of Representatives

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m, Monday, January 23, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1212, HB 1254

Executive session may be held on any matter referred to the committee.

Lunch will not be provided.

CORRECTED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 24, 2012, 2:00 PM House Hearing Room 4.

Conservation Budget presentation

Agriculture Budget presentation, if needed

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 4.

Continuation of the Conservation budget presentation, if needed

Proposal on the possible funding of a new meat lab for the University of Missouri.

Agriculture Budget presentation.

APPROPRIATIONS - EDUCATION

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.

DESE Budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 23, 2012, House Hearing Room 3, 4:00 PM or Upon Afternoon Adjournment.

—Organizational meeting.

—Public testimony to be taken on the following agencies: Public Debt; Department of Revenue; Office of Administration; Elected Officials; Judiciary; and General Assembly. All individuals wishing to testify or speak before the committee must submit requests or notices with Chairman Parkinson's office prior to 1:30 PM on Monday, January 23, 2012.

CORRECTED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 3.

Public testimony. All individuals wishing to testify or speak before the committee must submit requests or notices with Chairman Parkinson's office prior to 5:00 PM on Monday, January 23, 2012.

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 25, 2012, House Hearing Room 3 Upon Morning Adjournment.

Budget presentations on Public Debt and Office of Administration Debt.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 24, 2012, 2:00 PM House Hearing Room 3.

Public Safety Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 3.

DIFP Budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 7.

DOLIR Budget presentation.

BUDGET

Tuesday, January 24, 2012, House Hearing Room 3 Upon Morning Adjournment.

Public hearing will be held: HCR 3, HB 1329

Executive Session will be held: HCR 3, HB 1329

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1187, HB 1258, HB 1259, HB 1260

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, January 24, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1311, HB 1370

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, January 24, 2012, 7:30 AM House Hearing Room 7.

Public hearing will be held: HB 1036, HB 1059, HB 1060, HB 1104, HB 1106

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, January 24, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HJR 61

Executive Session will be held: HJR 61

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1058, HB 1075, HB 1123

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1041, HB 1042

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY

Monday, January 23, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1112, HB 1144

Presentation by MOCIA, Captive Insurance Agencies.

AMENDED

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

CORRECTED

LOCAL GOVERNMENT

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 1037, HB 1143, HB 1177, HB 1210, HB 1255

Executive session may be held on any matter referred to the committee.

CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 25, 2012, House Hearing Room 5 Upon Morning Adjournment or 12 PM.

Public hearing will be held: HB 1193, HB 1372

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Monday, January 23, 2012, 3:15 PM House Hearing Room 6.

Executive session will be held: HCS HB 1155

RURAL COMMUNITY DEVELOPMENT

Monday, January 23, 2012, 6:00 PM 3702 W. Truman Blvd.

Organizational meeting.

RURAL COMMUNITY DEVELOPMENT

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1277

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 1.

This meeting is an informational meeting.

VETERANS

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1099, HB 1100, HB 1105, HJR 45, HB 1160, HB 1241, HB 1287

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, January 23, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1219

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TENTH DAY, MONDAY, JANUARY 23, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 63 through HJR 66

HOUSE BILLS FOR SECOND READING

HB 1373 through HB 1449

HOUSE BILLS FOR PERFECTION

- 1 HB 1135 - Smith (150)
- 2 HCS HB 1140 - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TENTH DAY, MONDAY, JANUARY 23, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Major Kendall Mathews, Regional Coordinator of the Salvation Army of Jefferson City and Columbia, Missouri.

Lord, we come to You today to express our thankfulness for the many blessings You have given to us. We are indeed a people who need You more and more. May we never forget how much You love us and care for our every need. You are a God of LOVE, of PEACE and of GRACE, and we will strive to remember that as we go about our work today.

Lord, I am asking You to provide Your Holy guidance upon this House of Representatives – these legislators. As they make decisions that will impact our Great State of Missouri, may they be aware of the ever-growing needs that exist throughout our land. I pray that they will not forget all the people impacted by the current economic conditions – the BROKENHEARTED, the HOMELESS and the JOBLESS.

May our lawmakers' faith be unmovable, steadfast and unwavering. May You, the Holy One, strengthen this House and cause it to stand tall and stand up for what is righteous. Our faith can not be in earthly possessions or even in humankind. They fall short, Lord, when we place our hope in things that are not eternal.

This body bears our hope and our future. Lord, grant these women and men the wisdom to make decisions for a brighter future. Bless this House of lawmakers, their communities, their families, their staff and their constituents, as they serve not themselves, but others. May it be so, in the name and spirit of Jesus Christ.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as printed by the following vote:

AYES: 146

Anders	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellington	Elmer	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelly 24	Kirkton	Klippenstein

Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Aull	Brandom	Crawford	Diehl
Ellinger	Entlicher	Hough	Hughes	Kander
Kelley 126	May	Meadows	Molendorp	Schneider
Smith 71	Wright			

HOUSE RESOLUTIONS

Representative Bernskoetter offered House Resolution No. 305 and House Resolution No. 306.
Representative Wyatt, et al., offered House Resolution No. 333.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 307 through House Resolution No. 332

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 63 through **HJR 66** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1373 through **HB 1449** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1140, relating to the Missouri Accountability Portal, was taken up by Representative Smith (150).

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1140, Page 1, Section A, Line 2, by inserting after all of said line the following:

“37.853. 1. The office of administration shall maintain municipal government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of municipal government financial information as a means of creating better public understanding of municipal government practices and operations.

2. Individual municipal governmental entities shall collect and transmit, to the office of administration, the public information applicable to all municipal government as provided in this section.

3. Municipal governmental entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Conway (14) offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1140, Page 1, Section 37.853, Line 3, by inserting after the word **“government”**, the following:

“, including any city not within a county,”; and

Further amend said amendment, page, and section, Line 6, by inserting after the word **“government”** the following:

“, including any city not within a county,”; and

Further amend said amendment, page and section, Line 7, by inserting after the word **“government”** the following:

“, including any city not within a county,”; and

Further amend said amendment, page and section, Line 8, by inserting after the word **“governmental”** the following:

“, including any city not within a county,”; and

Further amend said amendment, page and section, Line 9, by inserting after the word **“government”** the following:

“, including any city not within a county,”; and

Further amend said amendment, page and section, Line 11, by inserting after the word “**governmental**” the following:

“, **including any city not within a county,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (14), **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 130

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 025

Atkins	Carlson	Carter	Colona	Ellington
Hummel	Kelly 24	May	McCann Beatty	McCreery
McDonald	McGeoghegan	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Schupp
Sifton	Smith 71	Spreng	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Day	Diehl	Ellinger	Hough
Hughes	Kander	Meadows		

On motion of Representative Solon, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1140, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1140, as amended**, was ordered perfected and printed.

HB 1135, relating to a State Administrative Rules Review, was taken up by Representative Smith (150).

HB 1135 was laid over.

COMMITTEE REPORT

Committee on Rules, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1155**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1155**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 23, introduced by Representatives Zerr, Sater, Berry, Gatschenberger, Jones (117), Jones (63), Carter, Colona, Talboy and Jones (89), relating to granting authority to the department of economic development to approve qualified equity investments.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 67, introduced by Representatives Denison, Rizzo, Meadows, Rowland, Shumake, Elmer, Fisher, Lair, Cookson, Burlison, Fraker, Montecillo, Wells, Franz, Pollock, Walton Gray and Hinson, relating to property taxation.

HJR 68, introduced by Representatives Nasheed, Kelly (24), Carter and Webb, relating to bonding for higher education capital improvement.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1450, introduced by Representative Bernskoetter, relating to pharmacy services.

HB 1451, introduced by Representatives Denison, Meadows, Solon, Long, Rowland, Shumake, Ruzicka, Fisher, Lair, Cross, Cookson, Schoeller, Burlison, Fraker, Rizzo, Wells, Franz, Pollock, Walton Gray and Korman, relating to motor vehicle windshield stickers.

HB 1452, introduced by Representatives Denison, Pace, McDonald, McCreery and Walton Gray, relating to water safety.

HB 1453, introduced by Representatives Denison, Long, Shumake, Ruzicka, Elmer, Meadows, Fisher, Lair, Cookson, Fraker, Rizzo, Franz and Pollock, relating to nuisance abatement ordinances.

HB 1454, introduced by Representative Stream, relating to reimbursing bi-state development agency for the reasonable costs attributable to investigating and prosecuting fare evasion offenses.

HB 1455, introduced by Representatives Gatschenberger, Talboy, Jones (89), Nolte, McCaherty, Long, Tilley, Jones (63), Colona, Atkins, Taylor, McManus and Webber, relating to the manufacturing jobs act.

HB 1456, introduced by Representatives Black, Quinn, Pace, Brown (50), Fitzwater, Oxford, McGhee, Funderburk, Torpey, Silvey, Schieffer and Bernskoetter, relating to a mental health assessment pilot program.

HB 1457, introduced by Representatives Crawford, Dugger and Entlicher, relating to county treasurer candidate qualifications.

HB 1458, introduced by Representatives Hinson and Gatschenberger, relating to emergency services.

HB 1459, introduced by Representatives Cierpiot, Torpey, Bernskoetter, Cookson, Dieckhaus and Neth, relating to school board members.

HB 1460, introduced by Representatives Jones (117), Richardson, Elmer, Crawford, Wyatt, Cox, Jones (89), Talboy, Webber, Colona, Kelly (24), Rizzo, Carter, Webb and Hoskins, relating to the statewide court automation fund.

HB 1461, introduced by Representatives Weter, Nance, McDonald, Cookson, Curtman, Koenig, Meadows, Carter, Denison, Kirkton, Still, Jones (63), Webb, Nichols and Lair, relating to security deposits.

HB 1462, introduced by Representatives Cauthorn, Klippenstein, Webber and Guernsey, relating to the Missouri Qualified Biodiesel Producer Incentive Fund.

HB 1463, introduced by Representatives Montecillo, Pierson, Atkins, Pace, Walton Gray, Webb, McNeil, Smith (71), Taylor and Spreng, relating to local sales taxes.

HB 1464, introduced by Representatives Torpey, Cierpiot, Neth, Grisamore, Solon, Lampe and Anders, relating to conflicts of interest for legislators.

HB 1465, introduced by Representatives Torpey, Cierpiot, Neth, Talboy, Jones (63), Montecillo, Dieckhaus, Lampe and Anders, relating to compulsory school attendance.

HB 1466, introduced by Representatives Nasheed, Jones (63), Oxford, Carter, Webb, Hummel and Schneider, relating to mathematics and science tutoring centers.

HB 1467, introduced by Representatives Nasheed, Carter, Webb and Jones (63), relating to the higher education loan authority.

The following member's presence was noted: Hughes.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, January 24, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1212, HB 1254

Executive session may be held on any matter referred to the committee.

Lunch will not be provided.

CORRECTED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 24, 2012, 2:00 PM House Hearing Room 4.

Conservation Budget presentation.

Agriculture Budget presentation, if needed.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 4.

Continuation of the Conservation Budget presentation, if needed.

Proposal on the possible funding of a new meat lab for the University of Missouri.

Agriculture Budget presentation.

APPROPRIATIONS - EDUCATION

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.

DESE Budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 3.

Public testimony. All individuals wishing to testify or speak before the committee must submit requests or notices with Chairman Parkinson's office prior to 5:00 PM on Monday, January 23, 2012.

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 25, 2012, House Hearing Room 3 Upon Morning Adjournment.

Budget presentations on Public Debt and Office of Administration Debt.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DMH overview/presentation, followed by inquiry.

No meal will be provided. Please plan accordingly.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 26, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of DMH hearing from Wednesday, January 25 (if necessary).

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 24, 2012, 2:00 PM House Hearing Room 3.

Public Safety Budget.

CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 3.

DIFP budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 7.

DOLIR budget presentation.

BUDGET

Tuesday, January 24, 2012, House Hearing Room 3 Upon Morning Adjournment.

Public hearing will be held: HCR 3, HB 1329

Executive Session will be held: HCR 3, HB 1329

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1187, HB 1258, HB 1259, HB 1260

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1125, HB 1252

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, January 24, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1311, HB 1370

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, January 24, 2012, 7:30 AM House Hearing Room 7.

Public hearing will be held: HB 1036, HB 1059, HB 1060, HB 1104, HB 1106

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Lounge.

Public hearing will be held: HB 1174, HB 1228

Executive session may be held on any matter referred to the committee.

CORRECTED

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, January 24, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HJR 61

Executive Session will be held: HJR 61

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, January 25, 2012, 8:30 AM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Any bill referred to the committee.

GENERAL LAWS

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1180, HB 1298, HB 1342

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1058, HB 1075, HB 1123

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1041, HB 1042

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, January 25, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1147, HB 1185, HB 1186

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

CORRECTED

JUDICIARY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1137, HB 1165, HB 1166, HB 1253, HB 1256

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 1037, HB 1143, HB 1177, HB 1210, HB 1255

Executive session may be held on any matter referred to the committee.

CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 25, 2012, House Hearing Room 5 Upon Morning Adjournment or 12 PM.

Public hearing will be held: HB 1193, HB 1372

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, January 26, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1138, HB 1226

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1277

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, January 30, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 1077

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, January 25, 2012, 3:30 PM House Hearing Room 3.

Public hearing will be held: HB 1076, HB 1302

Executive session may be held on any matter referred to the committee.

Presentation from Missouri American Water on successful renewable energy projects.

Public hearing to follow.

TRANSPORTATION

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1093, HB 1107, HB 1119, HB 1141, HB 1156, HB 1269

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 1.

This meeting is an informational meeting.

VETERANS

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1099, HB 1100, HB 1105, HJR 45, HB 1160, HB 1241, HB 1287

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

ELEVENTH DAY, TUESDAY, JANUARY 24, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 23

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 67 and HJR 68

HOUSE BILLS FOR SECOND READING

HB 1450 through HB 1467

HOUSE BILLS FOR PERFECTION

HB 1135 - Smith (150)

HOUSE BILLS FOR THIRD READING

HCS HB 1140 - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 24, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Be still and know that god is. (Psalm 46:10)

Eternal God, so high above us that we cannot comprehend You and yet so deep within us that we cannot escape You, make Yourself real to us as we pray today.

Tired are we of our littleness and we pray that You will lift us into the fellowship of great minds. Tired are we of our thoughts of discouragement and pray that You will lift us into the companionship of great hearts - that in these relationships our faith may be renewed, our hope strengthened, and our courage confirmed.

Bless these Representatives as they wait upon You. May they be wise with Your wisdom, strong with your power, and faithful in Your faithfulness to them. According to our needs, may the riches of Your grace enter the hearts of every one of us.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Sarah Bentley.

The Journal of the tenth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 334 through House Resolution No. 361

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 23 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 67 and **HJR 68** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1450 through **HB 1467** were read the second time.

PERFECTION OF HOUSE BILL

HB 1135, relating to a State Administrative Rules Review, was taken up by Representative Smith (150).

Representative Schupp offered **House Amendment No. 1**.

Representative Richardson raised a point of order that **House Amendment No. 1** is in violation of Rule 46(d).

The Chair ruled the point of order well taken.

On motion of Representative Smith (150), **HB 1135** was ordered perfected and printed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo

Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 004

Ellinger	Flanigan	Kander	Meadows
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REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1135 - Fiscal Review

HB 1220 - Urban Issues

COMMITTEE REPORTS

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1036**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1059**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1039**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1277**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was returned **HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2 - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1099**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1100**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1105**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1219**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 69, introduced by Representatives Funderburk and Koenig, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1468, introduced by Representatives Higdon, Klippenstein, Bernskoetter, Funderburk and Johnson, relating to peace officer safety alerts.

HB 1469, introduced by Representatives Cross, Schoeller, Redmon, Houghton, Denison, McGhee, Molendorp, Scharnhorst, Fraker, Brown (116), Crawford, Brandom, McCaherty, Long, Davis, Hampton, Wells, Schad, Lauer, Brown (50), Hough, Bernskoetter, Reiboldt, Franklin, Phillips, Weter, Korman and Gatschenberger, relating to small claims actions.

HB 1470, introduced by Representatives Taylor, Torpey, McGeoghegan, McCann Beatty, Cookson, Lant, Sater, Nichols, Spreng, Kirkton, Largent, Carter, Webb, Wyatt, Harris, Pace, Hubbard, Montecillo, Anders, Schupp, Meadows, Rizzo, Hoskins, Hummel and McNeil, relating to the reporting of child abuse and neglect.

HB 1471, introduced by Representatives Frederick, Lichtenegger, Sater, Allen, Hinson, White, McNeil, Hodges, Pace, Kirkton and Kelley (126), relating to tuberculosis testing.

HB 1472, introduced by Representatives Carter, Jones (63), Dieckhaus, Hummel, Colona, Lampe, Aull, McNeil, Nasheed, McCann Beatty, Newman, Kirkton, Nichols, Smith (71), Hughes, May, Morgan, Carlson, Montecillo, Webb, Still and Ellinger, relating to teacher retirement.

HB 1473, introduced by Representatives Jones (117), Richardson, Cierpiot, Elmer and Diehl, relating to driver's license suspensions.

HB 1474, introduced by Representatives Hubbard, Carter, Brown (50), Ellington, Colona, May, Spreng, Walton Gray, Pace, Pierson, Nasheed and Hughes, relating to elimination of the inmate intervention fee.

HB 1475, introduced by Representatives Cross, Brown (116), Lauer, Reiboldt, McCaherty, Fraker, Redmon, Lant, Weter, Korman, Hampton, McCreery, McNeil, Gatschenberger, Hodges, Pace, Jones (63), Frederick, Nance, Barnes and Fitzwater, relating to tanning facilities.

HB 1476, introduced by Representatives Leara and Zerr, relating to the sole purpose of freight forwarding.

HB 1477, introduced by Representatives Brown (116), Guernsey, Houghton and Jones (89), relating to grain purchases.

HB 1478, introduced by Representatives Still, Newman, Oxford, Pace, McNeil, McCreery, Schupp, Carlson and Kelly (24), relating to cigarette and tobacco taxes.

HB 1479, introduced by Representatives Schieffer, Oxford, Smith (71), Walton Gray, McNeil, Jones (63) and McGeoghegan, relating to landlord's disclosure of the presence of mold.

HB 1480, introduced by Representatives Schieffer, Oxford, Pierson and McGeoghegan, relating to telephone calls.

HB 1481, introduced by Representatives Schieffer, Klippenstein, Wells, Houghton, Fallert, Weter, Korman, Sater, McGhee, Quinn, Shively, Redmon, Loehner, Black, Bernskoetter, Ruzicka, Dugger, Day, Wright, Guernsey, Swinger, Aull, Franklin, Smith (150), Fitzwater, Crawford, Hough and Hinson, relating to exhibition of livestock and domestic animals at fairs, exposes, and pet shows.

HB 1482, introduced by Representatives Schieffer, Gatschenberger, Houghton, Pierson, McGeoghegan and Fallert, relating to unlawful possession of a firearm.

HB 1483, introduced by Representatives Schieffer, Johnson, Wells, Houghton, Gatschenberger, Pierson and McGeoghegan, relating to concealed carry endorsements.

HB 1484, introduced by Representatives McCaherty and Nolte, relating to electronic notifications and forms from the department of revenue.

HB 1485, introduced by Representatives Parkinson, Conway (14), Funderburk and Nance, relating to candidate qualifications.

HB 1486, introduced by Representative Nasheed, relating to cigarette taxes.

HB 1487, introduced by Representatives Pollock, Wells, Diehl, Flanigan, Riddle, Ruzicka and Dugger, relating to renewable energy.

HB 1488, introduced by Representatives Pollock, Schad, Wells, Riddle, Ruzicka, Crawford and Dugger, relating to the regulation of public utilities.

HB 1489, introduced by Representatives McCaherty, Cross, Neth, Fitzwater, Berry, McGhee, Lichtenegger, Casey, Zerr, Wright, Nance, Rizzo, Burlison, Holsman, Carter, Grisamore, Smith (150), Nasheed, Nolte, Wieland, Meadows, Atkins and Rowland, relating to property taxation.

HB 1490, introduced by Representatives Frederick, Kirkton, White, Carter, Pace, Sifton, Sater, Houghton and Nance, relating to the credentialing and payment of health care practitioners by health insurers.

HB 1491, introduced by Representatives Haefner, Higdon, Conway (14), Solon, Lichtenegger, Lasater, Tilley, Cookson, Berry, Brown (85), Reiboldt, Allen, Brandom, Brown (116), Shumake and Bahr, relating to the reporting of child abuse and neglect.

HB 1492, introduced by Representatives Molendorp and Brattin, relating to county municipal courts.

HB 1493, introduced by Representatives Fraker and Lant, relating to prevailing wages.

MESSAGE FROM THE GOVERNOR

January 23, 2012

**REORGANIZATION PLAN NO. 1
2012**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2012, by Executive Order 12-2, to transfer all Medicaid Program audit and compliance responsibilities from the Department of Health and Senior Services, and the Department of Mental Health, and assign them to the Department of Social Services.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

**EXECUTIVE ORDER
12-2**

WHEREAS, the Department of Social Services, established pursuant to Article IV, Section 37 of the Missouri Constitution, is the single state agency responsible for the administration of the Missouri Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs; and

WHEREAS, the Department of Health and Senior Services, established pursuant to Section 192.005, RSMo, is responsible for public health and aging issues, including administration of the Personal Care and Home and Community-Based Medicaid programs for the aged and disabled; and

WHEREAS, the Department of Mental Health, established pursuant to Article IV, Section 37(a) of the Missouri Constitution, is responsible for issues and programs related to mental disorders, developmental disabilities, and substance abuse; and

WHEREAS, the Missouri Medicaid Audit and Compliance Unit (MMAC) was established in January 2011, within the Department of Social Services, to oversee audit and compliance of Missouri Medicaid Program providers and participants; and

WHEREAS, the MMAC is responsible for detecting, investigating, and preventing fraud against the Missouri Medicaid Program; and

WHEREAS, all Medicaid Program audit and compliance appropriations were transferred from the Department of Social Services' MO HealthNet Division, Department of Health and Senior Services, and the Department of Mental Health to the Department of Social Services MMAC unit in Fiscal Year 2012 by the General Assembly; and

WHEREAS, the work of MMAC has already resulted in the doubling of recoupment of provider overpayments in its first reporting quarter compared with the same quarter in previous years; and

WHEREAS, consolidation of Missouri's Medicaid Title XIX, SCHIP Title XXI and Medicaid Waiver programs' provider enrollment, audit and compliance responsibilities will promote consistent guidance to providers participating in these programs; and

WHEREAS, I am committed to prudently consolidating executive branch operations to ensure that the state delivers vital services in the most efficient and effective manner possible.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, do hereby order the Department of Health and Senior Services, the Department of Mental Health, and the Department of Social Services to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Department of Health and Senior Services and the Department of Mental Health to the Department of Social Services, by Type I transfer, as defined under the Reorganization Act of 1974.
2. Develop mechanisms and processes necessary to effectively transfer these duties and functions to the Department of Social Services.
3. Transfer the responsibility for staff support for these duties and functions to the Department of Social Services.
4. Take the steps necessary to maintain compliance with federal requirements, so as not to jeopardize federal financial participation with this consolidation.

This Order shall become effective August 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 23rd day of January, 2012.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

WITHDRAWAL OF HOUSE BILL

January 23, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I am requesting that my **House Bill No. 1237** be withdrawn. Thank you for your time and consideration in this matter.

Sincerely,

/s/ Bob Nance
State Representative

The following members' presence was noted: Flanigan and Meadows.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 25, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 4.

Continuation of the Conservation Budget presentation, if needed.

Proposal on the possible funding of a new meat lab for the University of Missouri.

Agriculture Budget presentation.

APPROPRIATIONS - EDUCATION

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.

DESE Budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 25, 2012, House Hearing Room 3 Upon Morning Adjournment.

Budget presentations on Public Debt and Office of Administration Debt.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DMH overview/presentation, followed by inquiry.

No meal will be provided. Please plan accordingly.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 26, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of DMH hearing from Wednesday, January 25 (if necessary).

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 7.

DOLIR budget presentation.

CHILDREN AND FAMILIES

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1187, HB 1258, HB 1259, HB 1260
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1252, HB 1125
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Lounge.
Public hearing will be held: HB 1174, HB 1228
Executive session may be held on any matter referred to the committee.
CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, February 1, 2012, 7:00 PM, 2125 Missouri Blvd., Jefferson City, MO.
Committee dinner.

FISCAL REVIEW

Wednesday, January 25, 2012, 8:30 AM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1058, HB 1123, HB 1075
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, January 25, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1147, HB 1185, HB 1186
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JUDICIARY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1165, HB 1166, HB 1256, HB 1137, HB 1253

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 1037, HB 1210, HB 1143, HB 1255, HB 1177

Executive session may be held on any matter referred to the committee.

CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 25, 2012, House Hearing Room 5 Upon Morning Adjournment or 12 PM.

Public hearing will be held: HB 1193, HB 1372

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, January 26, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1226, HB 1138

Executive session may be held on any matter referred to the committee.

CANCELLED

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, January 30, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 1077

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, January 25, 2012, 3:30 PM House Hearing Room 3.

Public hearing will be held: HB 1076, HB 1302

Executive session may be held on any matter referred to the committee.

Presentation from Missouri American Water on successful renewable energy projects.

Public hearing to follow.

TOURISM AND NATURAL RESOURCES

Thursday, January 26, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 13, HB 1191, HB 1251

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Wednesday, February 1, 2012, House Hearing Room 5 Upon Morning Adjournment.

Public hearing will be held: HB 1220, HB 1344

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 25, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 69

HOUSE BILLS FOR SECOND READING

HB 1468 through HB 1493

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1140 - Smith (150)
- 2 HB 1135, (Fiscal Review 1-24-12) - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWELFTH DAY, WEDNESDAY, JANUARY 25, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Why are thou cast down, O my soul? And why art thou disquieted in me - hope thou in God. (Psalm 42:5)

Eternal God, from Whom our spirits come, with Whom they live and unto Whom they return when life on earth is over - in the quiet of this moment we humbly lift our hearts unto You in prayer. We believe in You with all our minds - do make Yourself known to us in our hearts. Grant unto us a song on our lips in the morning, strength for the day, good will for one another, a steadfast loyalty to our country, courage to maintain high ideals in our political life, and a faith that gives us confidence and helps us to overcome the evil in the world.

Give to us an inner spirit of hospitality to that which is high in life and send us forth masters of ourselves because we are mastered by You. By Your spirit of truth alive within us, may we be among that company of Your children who lift up the world and do not lean upon it, and who leave it a better place in which to live.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Smith and Paula Booth.

The Journal of the eleventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 362 through House Resolution No. 378

HOUSE CONCURRENT RESOLUTION

Representative Newman, et al., offered House Concurrent Resolution No. 24.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 69 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1468 through **HB 1493** were read the second time.

Representative Nolte assumed the Chair.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1135**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HB 1135, relating to a State Administrative Rules Review, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HB 1135** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan

McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Day	Largent	Mr Speaker
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Representative Nolte declared the bill passed.

HCS HB 1140, relating to the Missouri Accountability Portal, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1140** was read the third time and passed by the following vote:

AYES: 113

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McNary	Molendorp
Montecillo	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 042

Anders	Atkins	Aull	Black	Carlson
Carter	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Kirkton	May	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Morgan	Newman	Nichols	Oxford	Pace

Pierson	Quinn	Schieffer	Schupp	Shively
Smith 71	Spreng	Swearingen	Swinger	Walton Gray
Webb	Weter			

PRESENT: 001

Leara

ABSENT WITH LEAVE: 007

Barnes	Cross	Day	Franz	Fuhr
Funderburk	Largent			

Representative Nolte declared the bill passed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 39 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1032 - Professional Registration and Licensing
HB 1033 - Health Care Policy
HB 1040 - Transportation
HB 1062 - Elementary and Secondary Education
HB 1084 - Veterans
HB 1088 - Judiciary
HB 1108 - Utilities
HB 1114 - Local Government
HB 1150 - Transportation
HB 1157 - Elementary and Secondary Education
HB 1179 - Rural Community Development
HB 1188 - Health Care Policy
HB 1194 - Agriculture Policy
HB 1195 - Agriculture Policy
HB 1198 - Workforce Development and Workplace Safety
HB 1215 - Tax Reform
HB 1225 - General Laws
HB 1274 - Health Care Policy
HB 1280 - Professional Registration and Licensing
HB 1286 - Judiciary
HB 1295 - Transportation
HB 1308 - Financial Institutions
HB 1316 - Utilities
HB 1317 - General Laws

HB 1319 - General Laws
HB 1326 - General Laws
HB 1327 - Children and Families
HB 1331 - Retirement
HB 1332 - Utilities
HB 1337 - Elementary and Secondary Education
HB 1339 - Health Insurance
HB 1349 - Financial Institutions
HB 1361 - Utilities
HB 1369 - General Laws
HB 1373 - Local Government
HB 1385 - Children and Families
HB 1402 - Transportation
HB 1404 - Agriculture Policy
HB 1425 - Elementary and Secondary Education
HB 1435 - Economic Development
HB 1442 - Elections
HB 1444 - Emerging Issues in Animal Agriculture
HB 1457 - Elections

COMMITTEE REPORTS

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1075**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HJR 45**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 70, introduced by Representatives Schoeller, Jones (89), Shumake, Wieland, Allen, Franz, Keeney, Davis, Richardson, Dieckhaus, Curtman and Koenig, relating to education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1494, introduced by Representatives Schoeller, Allen, Funderburk, Smith (150), Solon, Cox, White, Bahr, McGhee, Schad and Leach, relating to entities receiving state funds.

HB 1495, introduced by Representatives Nance, Conway (14), Cauthorn, Wright and Wieland, relating to the reporting of insurance fraud.

HB 1496, introduced by Representatives Hubbard, Kelly (24), Spreng, Carter, Pace, Colona, Meadows, Smith (71), Pierson, Carlson, Webb, Nasheed, Atkins and Oxford, relating to eliminating the death penalty.

HB 1497, introduced by Representatives Hubbard, Taylor, Spreng, Pace, Pierson, Smith (71), Kratky, Webb, Nasheed and Oxford, relating to the parent time for Missouri program.

HB 1498, introduced by Representatives Hough and Hinson, relating to sales of intoxicating liquor.

HB 1499, introduced by Representatives Webber, Kander, Schupp, Kelly (24) and Lampe, relating to military leave for public employees.

HB 1500, introduced by Representatives Webber, Zerr, Schneider, Weter, Newman, Still, McCreery, Nichols, Webb, Schupp, Holsman, Brown (50), Oxford, Kirkton, McManus, Carter, Hughes, Lampe, Kratky, Fallert, Montecillo, Pierson, McDonald, McCann Beatty, Sifton, Atkins, Meadows, Hummel, Spreng, May, Walton Gray, Pace, Rizzo, Jones (63), Talboy, Kelly (24), Nasheed, McNeil, Conway (27), Colona, Smith (71), Carlson, Taylor, Ellinger, Hubbard, Wyatt, McGeoghegan, Morgan, Kander, Aull, Hodges, Casey, Ellington, Swearingen and Shively, relating to discrimination based on sexual orientation or gender identity.

HB 1501, introduced by Representatives Jones (117), Webber, Hoskins, Cierpiot, Richardson, Zerr, Still and Kelly (24), relating to the establishment of a commission on workforce preparedness.

HB 1502, introduced by Representatives Jones (117), Kelly (24), Richardson, Korman, Long, Elmer, Barnes, Schatz, Webber and Still, relating to the higher education capital fund.

HB 1503, introduced by Representatives Pace, Ellinger, Pierson, McCreery, Webb, Carter, Nasheed, Still, Shively, Quinn, Colona, Denison, Brattin, Smith (71), Taylor, Talboy, Atkins, Hubbard, Hodges, Jones (63), Walton Gray, Oxford, McGeoghegan, Ellington, Kirkton, May, Spreng, Nichols, Swearingen, Schupp, Meadows and Montecillo, relating to assault of a utility worker or an employee of a mass transit system.

HB 1504, introduced by Representative Richardson, relating to sales taxes.

HB 1505, introduced by Representatives Richardson and Elmer, relating to the records of regularly conducted activity as evidence law.

HB 1506, introduced by Representative Schad, relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

HB 1507, introduced by Representative Webb, relating to student participation in extracurricular activities.

HB 1508, introduced by Representatives Webb, Carter, Lampe, Shively, Aull, Nasheed, Casey, Meadows, McGeoghegan, Oxford, Ellington, Pollock, Leara, Parkinson, Jones (63), Funderburk, Taylor, Korman, Hodges, McDonald, Pierson, McManus, Ellinger, Schieffer, Swinger and Montecillo, relating to the sale of cottage foods.

HB 1509, introduced by Representative Stream, relating to the treatment of eating disorders.

HB 1510, introduced by Representatives Riddle, Denison, Long, Hinson, Schieffer, Fallert, Conway (27), McDonald, Kelly (24), Torpey, Meadows and Kratky, relating to regulation of motor carriers.

HB 1511, introduced by Representatives Schieffer, Gatschenberger, Fallert, Denison, Hough, Hinson, Stream, Fisher and Meadows, relating to temporary motorcycle permits.

HB 1512, introduced by Representatives Curtman, Jones (89), Koenig, Leach, Funderburk, Lichtenegger, Brattin, Conway (14), Guernsey, Bahr, Kelley (126), Richardson, Zerr, Gatschenberger, Shumake, Bernskoetter, Brown (85), Asbury, Houghton, Dugger, Smith (150), Wieland, Schatz and Scharnhorst, relating to the laws of other countries.

HB 1513, introduced by Representatives Franz, Loehner and Schad, relating to animal rights.

HB 1514, introduced by Representative Wieland, relating to series limited liability companies.

HB 1515, introduced by Representatives Schad, Torpey, Sommer, Higdon and Cierpiot, relating to crimes against the elderly.

HB 1516, introduced by Representatives Schad, Pollock, Hummel, Colona, Lampe, Bernskoetter, Anders, Hough and Hinson, relating to the crime of assaulting a utility worker.

HB 1517, introduced by Representatives Nolte, Smith (71), Koenig and McGeoghegan, relating to military medallions, medals, and certificates.

HB 1518, introduced by Representatives Grisamore, Scharnhorst, Brandom, Talboy, Richardson, Colona, Wells, Pollock, Montecillo, Kelly (24), Rizzo, Hummel, Kratky, Taylor, Carter, Jones (63), Lampe, Schoeller, Stream, Lauer, Solon, Houghton, Meadows, Fallert, Wright, Ellinger, Taylor, Atkins, Oxford, Anders, Swearingen, McGeoghegan, Schieffer, Harris, Webb, Carter, Lair, Lichtenegger, Riddle and Walton Gray, relating to licensure of behavior analysts.

HB 1519, introduced by Representative McGhee, relating to charter schools.

HB 1520, introduced by Representatives McGhee, Lasater, Wieland, Berry, Kelly (24), Rizzo, Meadows, Webb, Morgan, McCreery, Atkins, Nasheed, Hughes, Talboy, Spreng, Carter, Quinn, Shively, Hubbard, Jones (63), Swearingen, Pace, Walton Gray, McNeil, McDonald, Carlson, Hodges, Sommer, Hummel, Stream, Brown (50), Ellington, Schupp, Kirkton, Montecillo, Oxford, Taylor, Pierson, Webber, Ellinger, Smith (71), McCann Beatty, McGeoghegan and Lant, relating to repealing the death penalty.

HB 1521, introduced by Representatives Sommer, White, Zerr, Taylor, Parkinson, Smith (150), Gatschenberger, Solon, Funderburk and Lichtenegger, relating to property tax bills.

HB 1522, introduced by Representatives Meadows, Montecillo, Kratky, Fallert, Newman, McGeoghegan, Grisamore, Hummel, Conway (27), Casey and Schieffer, relating to licensure of behavior analysts.

HB 1523, introduced by Representatives Meadows and Newman, relating to technical codes.

HB 1524, introduced by Representatives Phillips and Rowland, relating to the improvement and maintenance of private roads.

HB 1525, introduced by Representatives Fuhr, Ellinger, McGeoghegan, Schad and Riddle, relating to criminal offenders under the supervision of the department of corrections.

COMMUNICATION

January 25, 2012

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Ave.
Jefferson City, MO 65101

RE: Possible Conflict of Interest

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible conflict of interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Lyle Rowland
District 143

The following member's presence was noted: Day.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 26, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1324

Executive session may be held on any matter referred to the committee.

There will be a presentation on the Missouri River flooding issues.

APPROPRIATIONS - EDUCATION

Tuesday, January 31, 2012, 2:00 PM House Hearing Room 1.

DESE Budget continued/DHE Budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 30, 2012, 12:00 PM House Hearing Room 3.

Budget presentation.

Testifying agencies: Office of Administration Operations, Fringe Benefits, and Attached Programs

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 30, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 3.

Budget presentation.

Testifying agencies: Office of Administration Operations, Fringe Benefits and Attached Programs

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 1, 2012, House Hearing Room 3 Upon Morning Adjournment.

Budget presentation.

Testifying agency: Public Defender Commission

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 26, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of DMH hearing from Wednesday, January 25 (if necessary).

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 31, 2012, 2:00 PM House Hearing Room 3.

Public Safety Budget will be discussed first, and, if time allows, Corrections Budget will be discussed.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 1, 2012, 2:00 PM House Hearing Room 6.

Public Safety Budget will continue if needed and proceed with Corrections Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 1, 2012, 2:30 PM House Hearing Room 7.

MoDOT budget presentation.

FINANCIAL INSTITUTIONS

Wednesday, February 1, 2012, 7:00 PM, 2125 Missouri Blvd., Jefferson City, MO.

Committee dinner.

RETIREMENT

Thursday, January 26, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1226, HB 1138

Executive session may be held on any matter referred to the committee.

CANCELLED

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, January 30, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 1077

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, January 26, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 13, HB 1191, HB 1251

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Wednesday, February 1, 2012, House Hearing Room 5 Upon Morning Adjournment.

Public hearing will be held: HB 1220, HB 1344

HOUSE CALENDAR

THIRTEENTH DAY, THURSDAY, JANUARY 26, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 70

HOUSE BILLS FOR SECOND READING

HB 1494 through HB 1525

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 26, 2012

The House met pursuant to adjournment.

Representative Hampton in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will extol Thee, my God, O King; and I will bless Thy name forever and ever. (Psalm 145:1)

Eternal God, Who commits to us the swift and solemn trust of life; since we know not what a day may bring forth, but only that the hour for serving You is always present, may we wake to the instant claims of Your Holy Will, not waiting for tomorrow, but yielding to today. Consecrate with Your presence the way our feet may go that the humblest work may shine and the roughest places be made smooth. Lift us above fear and doubt by a simple and steadfast reliance on Your Holy Will.

May the light of faith burn brightly within us, may the life of hope ever glow in our hearts, and may the love of truth always lead us in the way of Your peace.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

HOUSE RESOLUTION

Representative Jones (89) offered House Resolution No. 385.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 379 through House Resolution No. 384

House Resolution No. 386 through House Resolution No. 413

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 70 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1494 through **HB 1525** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 8 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committees indicated:

HB 1128 - Veterans
HB 1169 - General Laws
HB 1172 - Economic Development
HB 1246 - Economic Development
HB 1273 - Urban Issues
HB 1291 - Professional Registration and Licensing
HB 1292 - Crime Prevention and Public Safety
HB 1300 - General Laws
HB 1305 - Special Standing Committee on Renewable Energy
HB 1318 - General Laws
HB 1325 - Local Government
HB 1330 - Judiciary
HB 1336 - Local Government
HB 1347 - Veterans
HB 1356 - Tax Reform
HB 1357 - Children and Families
HB 1365 - Elections
HB 1451 - Transportation
HB 1452 - Crime Prevention and Public Safety
HB 1466 - Urban Issues
HB 1476 - Economic Development
HB 1485 - Elections
HB 1487 - Special Standing Committee on Renewable Energy
HB 1525 - Crime Prevention and Public Safety

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1311**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1370**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1185**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1186** and **HB 1147**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 71, introduced by Representatives Elmer, Jones (117), Burlison, Hough, Solon, Wright, Curtman, Brattin and Crawford, relating to property taxation.

HJR 72, introduced by Representatives Bahr, Davis, Leach, Koenig, Houghton, Shumake, Curtman, Burlison, Jones (89), Lasater, Wyatt, Franklin, Sommer, Guernsey, Lichtenegger, Parkinson, Long, Schieber, Brattin, Smith (150), Rowland, Marshall, Jones (117), McGhee, Fisher, Frederick, Tilley, Cox, Wieland, Redmon, Reiboldt, Dugger, Schatz, Riddle, Franz, Fitzwater, Cookson, Keeney, Cauthorn, Funderburk, Zerr, Cierpiot, Scharnhorst and Solon, relating to health care freedom.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1526, introduced by Representative Dieckhaus, relating to school personnel.

HB 1527, introduced by Representatives Elmer, Richardson and Cox, relating to property exempt from attachment.

HB 1528, introduced by Representatives Wieland, Nance and Bahr, relating to intersection safety.

HB 1529, introduced by Representatives Jones (117), Schieber, Torpey, Sifton and Allen, relating to prior authorization for insurance coverage of diagnostic radiology testing.

HB 1530, introduced by Representatives Gosen, Kratky, Black, Schneider, Schatz, Houghton and Colona, relating to the resale of scrap metals.

HB 1531, introduced by Representatives Kirkton, Walton Gray, Oxford, Pace, McCreery and Newman, relating to newborn screening requirements.

HB 1532, introduced by Representatives Schoeller, McCaherty, Pierson, Shumake, Guernsey, Crawford and McGhee, relating to the house of worship act.

HB 1533, introduced by Representatives Schoeller, Guernsey, Neth, Cierpiot, Gatschenberger, McGhee, Scharnhorst, Hummel, Talboy, Lichtenegger, Burlison, Zerr and Berry, relating to chiropractic services.

HB 1534, introduced by Representatives Bahr, Koenig, Leach, Houghton, Davis, Shumake, Curtman, Jones (89), Lasater, Wyatt, Franklin, Sommer, Guernsey, Lichtenegger, Parkinson, Brattin, Smith (150), Rowland, Jones (117), McGhee, Fisher, Tilley, Cox, Wieland, Redmon, Reiboldt, Dugger, Schatz, Franz, Fitzwater, Cookson, Cauthorn, Funderburk, Cierpiot, Scharnhorst and Frederick, relating to the federal health care reform law.

HB 1535, introduced by Representatives Burlison and Koenig, relating to sales tax exemptions for certain property.

HB 1536, introduced by Representatives Burlison, Fisher, Koenig and Smith (150), relating to political subdivision taxes.

HB 1537, introduced by Representatives Burlison and Smith (150), relating to roadside vegetation.

HB 1538, introduced by Representatives Burlison, Fisher, Guernsey and Denison, relating to labor organizations.

HB 1539, introduced by Representatives Jones (89), Fuhr, Lant, Cox, Higdon and Funderburk, relating to the parent empowerment and choice act.

HB 1540, introduced by Representatives Jones (89), Fisher, Fuhr, White, Lant, Cox, Higdon and Funderburk, relating to workers' compensation.

HB 1541, introduced by Representatives Jones (89), Schoeller, Lichtenegger, Hough, Long, Torpey, Schad, Franz, Loehner, Scharnhorst, Burlison, Funderburk, Curtman, Thomson, Zerr, Riddle, Diehl, Hoskins, Korman, Smith (150), Leara, Silvey, Flanigan, Allen, Bahr, Hinson, Sommer, Stream, Gatschenberger, Cox, Dugger, Hampton, Fisher, Fuhr, White, Lant, Higdon, Wieland, McCaherty, Solon, Crawford, Black, Johnson, Keeney and Wells, relating to the conscience rights of all individuals who provide medical services.

HB 1542, introduced by Representatives Koenig, Brattin, Higdon, Curtman, Lichtenegger, Bahr, White, Schoeller, Jones (89) and Burlison, relating to collection of state money.

HB 1543, introduced by Representative Franz, relating to county employees' retirement system.

HB 1544, introduced by Representatives Kirkton, Oxford and McNeil, relating to the taxation of property.

HB 1545, introduced by Representatives Kirkton, Long, McNeil and Spreng, relating to the designation of PKS day.

HB 1546, introduced by Representatives Kirkton, Oxford, Walton Gray, Pace, McCreery and McNeil, relating to health insurance premium rate reviews.

HB 1547, introduced by Representatives Marshall, Schieber, Berry and Higdon, relating to motor vehicle valuation.

HB 1548, introduced by Representative Scharnhorst, relating to liability insurance for events in state parks.

HB 1549, introduced by Representatives Richardson, Long, Hampton, Higdon, Solon, Brown (85), Redmon, Guernsey, Lauer, Burlison, Kenney, Torpey, Curtman, Talboy, Jones (63), Riddle, Wright, Neth, Smith (71), Anders, Lant, Fraker, Oxford, Hough, Kelley (126), Gosen, Hinson, Zerr and Cross, relating to the no-call list.

HB 1550, introduced by Representatives Cookson, Tilley, Jones (89), Denison, Wells, Scharnhorst, McGhee, Burlison, Fitzwater, Phillips, Fraker, Barnes, Cierpiot, Funderburk, Cauthorn, Leach, Bahr and McNary, relating to the capitalism education and awareness commission.

HB 1551, introduced by Representative Cookson, relating to operating a motorized vessel with excessive blood alcohol content.

HB 1552, introduced by Representative Cookson, relating to transient guest taxes.

HB 1553, introduced by Representatives Hughes and Ellington, relating to expungement of certain criminal records.

HB 1554, introduced by Representatives Hughes and Ellington, relating to an economic development grant program.

HB 1555, introduced by Representatives Hughes and Ellington, relating to use of credit scores by employers.

HB 1556, introduced by Representatives Hughes and Ellington, relating to state contracts.

HB 1557, introduced by Representatives Hughes and Ellington, relating to title loans.

HB 1558, introduced by Representatives Hughes and Ellington, relating to repealing intervention fees for parolees.

HB 1559, introduced by Representatives Hughes and Ellington, relating to adoption.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 443**, entitled:

An act to repeal sections 302.309, 302.341, 302.700, and 577.023, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with penalty provisions in existing language and a contingent effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 467**, entitled:

An act to repeal sections 37.850 and 536.087, RSMo, and to enact in lieu thereof three new sections relating to the transparency and accountability of public funds, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

January 26, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Eric Burlison from the Special Standing Committee on Renewable Energy and appoint Representative T. J. Berry.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

The following members' presence was noted: Allen, Anders, Atkins, Bahr, Berry, Black, Brown (50), Brown (116), Burlison, Carter, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cross, Curtman, Day, Denison, Dugger, Ellinger, Ellington, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franz, Fuhr, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Hodges, Hubbard, Hughes, Hummel, Johnson, Jones (63), Jones (89), Jones (117), Kelley (126), Kelly (24), Kirkton, Koenig, Kratky, Lair, Lampe, Lant, Lasater, Lauer, Leach, Lichtenegger, Loehner, Marshall, May, McCaherty, McCann Beatty, McCreery, McDonald, McGeoghegan, McManus, McNary, McNeil, Meadows, Montecillo, Morgan, Nasheed, Neth, Newman, Nolte, Oxford, Pace, Phillips, Pollock, Quinn, Redmon, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Scharnhorst, Schieffer, Sifton, Smith (71), Smith (150), Solon, Sommer, Spreng, Still, Stream, Swearingen, Talboy, Thomson, Wallingford, Walton Gray, Webb, Wells, Weter, White, Wieland, Wright and Zerr.

ADJOURNMENT

On motion of Representative Hampton, the House adjourned until 4:00 p.m., Monday, January 30, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1324

Executive session may be held on any matter referred to the committee.

There will be a presentation on the Missouri River flooding issues.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 31, 2012, 2:00 PM House Hearing Room 4.

Department of Natural Resources Budget presentation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 1, 2012, 2:00 PM House Hearing Room 4.

Continuation of the Department of Natural Resources budget presentation, if needed.

Conservation Department's budget presentation.

APPROPRIATIONS - EDUCATION

Tuesday, January 31, 2012, 2:00 PM House Hearing Room 1.

DESE Budget continued/DHE Budget presentation.

APPROPRIATIONS - EDUCATION

Wednesday, February 1, 2012, 8:00 AM House Hearing Room 3.

Institutional Presidents

Will recess for session and reconvene at 2:00 PM in Hearing Room 1.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 30, 2012, 12:00 PM House Hearing Room 3.

Budget presentation.

Testifying agencies: Office of Administration Operations, Fringe Benefits, and Attached Programs

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 30, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 3.

Budget presentation.

Testifying agencies: Office of Administration Operations, Fringe Benefits and Attached Programs

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 1, 2012, Upon Morning Adjournment House Hearing Room 3.

Budget presentation.

Testifying agency: Public Defender Commission

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 31, 2012, 2:00 PM House Hearing Room 3.

Public Safety Budget will be discussed first, and, if time allows, Corrections Budget will be discussed.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 1, 2012, 2:00 PM House Hearing Room 6.

Public Safety Budget will continue, if needed, and proceed with Corrections Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 1, 2012, 2:30 PM House Hearing Room 7.

MoDOT Budget presentation.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 1, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1525

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, January 31, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1476, HB 1244, HB 1245, HB 1130

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, January 31, 2012, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 1250, HB 1457, HB 1106, HB 1442, HJR 41, HB 1060

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 1, 2012, 7:00 PM, 2125 Missouri Blvd., Jefferson City, MO.

Committee dinner.

HEALTH CARE POLICY

Wednesday, February 1, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1123, HB 1033, HB 1188, HB 1274

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1339, HB 1199

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, January 31, 2012, 8:00 AM House Hearing Room 6.

Executive Session will be held: HB 1041, HB 1042

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Monday, January 30, 2012, 3:00 PM House Hearing Room 1.

Executive Session will be held: HB 1036, HB 1039, HB 1059, HB 1099, HB 1100, HB 1104, HB 1105, HCS#2 HB 1155, HB 1219, HCS HB 1277

RURAL COMMUNITY DEVELOPMENT

Tuesday, January 31, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1179

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, January 30, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 1077

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1040, HB 1150, HB 1295, HB 1402

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, January 30, 2012, Upon Evening Adjournment House Hearing Room 5.

Public hearing will be held: HB 1220, HB 1344

URBAN ISSUES

Monday, January 30, 2012, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 1220, HB 1344

CANCELLED

URBAN ISSUES

Wednesday, February 1, 2012, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 1220, HB 1344

CANCELLED

UTILITIES

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1108, HB 1361

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, January 30, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1198

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, JANUARY 30, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 71 and HJR 72

HOUSE BILLS FOR SECOND READING

HB 1526 through HB 1559

SENATE BILLS FOR SECOND READING

1 SS SCS SB 443

2 SS SCS SB 467

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, JANUARY 30, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Rodney Schad.

Our Father in heaven, we humbly bow our heads before You to acknowledge Your greatness and Your importance in our lives. You, Father, are our holy, loving and merciful God.

We thank You for our time at home with our families this weekend, for safe travel today and for all Your good and abundant blessings of this life.

Your Word in Proverbs declares “when pride comes, disgrace follows but with humility comes wisdom”.

It is our desire just now, Father, to put away any pride that we may have and exhibit humility as we work on the task before us. We pray for wisdom that can only come from You as we serve the people of this great state and address the challenges of our responsibilities.

You, God, have put us here at this place at this time to carry out Your will. Make Your will evident to us. Make Your plans our plans and make Your purpose our purpose.

We pray all this in the holy name of Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Paige Hooper and Katlyn Sawyer.

The Journal of the twelfth day was approved as printed.

The Journal of the thirteenth day was approved as printed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton

Harris	Higdon	Hinson	Hodges	Holsman
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Shupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Barnes

ABSENT WITH LEAVE: 022

Bahr	Brattin	Conway 27	Curtman	Diehl
Entlicher	Frederick	Funderburk	Gatschenberger	Hoskins
Hughes	Jones 117	Kander	Keeney	Kelley 126
McManus	Meadows	Pollock	Scharnhorst	Schoeller
Torpey	Wright			

Representative Cox assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 414 through House Resolution No. 439

HOUSE CONCURRENT RESOLUTION

Representative Allen, et al., offered House Concurrent Resolution No. 25.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 71 and **HJR 72** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1526 through **HB 1559** were read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 443 and **SS SCS SB 467** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1526 - Elementary and Secondary Education

COMMITTEE REPORTS

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1036**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1039**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1059**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1059**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1099**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1100**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1105**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1219**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1277**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1560, introduced by Representatives Diehl, Colona, Jones (63) and Nasheed, relating to the appointment of certain circuit clerks.

HB 1561, introduced by Representative Diehl, relating to low-profit limited liability companies.

HB 1562, introduced by Representative Higdon, relating to employment of an attorney by a sheriff.

HB 1563, introduced by Representative Sater, relating to legend drugs.

HB 1564, introduced by Representatives Hummel, Rizzo, Montecillo, Colona, Nasheed, Webb, Spreng, Fallert, Meadows, Talboy, McDonald, Casey, Carter, McGeoghegan, Smith (71), Pace, Webber, Conway (27), Swearingen, Oxford, Atkins, Hubbard, Holsman, Anders, May, Morgan, Carlson, Schupp, Schieffer, Kratky, Harris, McManus, Taylor, Sifton, Denison, Newman, Pierson, Hodges, Still, Kelly (24), Lampe, McCann Beatty, Black, Brown (50), McCreery, Kirkton, Schatz, Quinn, Swinger, Hughes, Gatschenberger, Jones (63) and Shively, relating to identifiable information in registries maintained by public governmental bodies to assist certain individuals in case of a disaster or emergency.

COMMUNICATION

January 30, 2012

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Room 306C, State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of possible interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am employed with Boeing Company and am on the Advisory Board of the Missouri Vocational Enterprises Program of the Missouri Department of Corrections.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Clem Smith
Representative
District 71

WITHDRAWAL OF HOUSE BILL

January 30, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I am requesting discontinuance of **House Bill No. 1070** with receipt of this letter. If you have any questions or need more information, please contact my office at (573) 751-1480. Thank you.

Best regards,

/s/ David Sater
District 68

The following members' presence was noted: Bahr, Brattin, Conway (27), Diehl, Entlicher, Frederick, Funderburk, Gatschenberger, Hoskins, Hughes, Kander, Keeney, Kelley (126), Meadows, Pollock, Scharnhorst and Torpey.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, January 31, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1324

Executive session may be held on any matter referred to the committee.

There will be a presentation on the Missouri River flooding issues.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 31, 2012, 2:00 PM House Hearing Room 4.

Department of Natural Resources Budget presentation.

Public testimony will be heard.

If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or send an e-mail to Eric.Jacquin@house.mo.gov.

AMENDED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 1, 2012, 2:00 PM House Hearing Room 4.

Continuation of the Department of Natural Resources Budget presentation, if needed.

Conservation Department's Budget presentation.

Public testimony will be heard.

If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

AMENDED

APPROPRIATIONS - EDUCATION

Tuesday, January 31, 2012, 2:00 PM House Hearing Room 1.

DESE Budget continued/DHE Budget presentation.

APPROPRIATIONS - EDUCATION

Wednesday, February 1, 2012, 8:00 AM House Hearing Room 3.

Institutional Presidents

Will recess for session and reconvene at 2:00 PM in Hearing Room 1.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 31, 2012, 2:00 PM House Hearing Room 6.

Budget presentation.

Testifying agency: Office of Administration Leasing

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 1, 2012, Upon Morning Adjournment House Hearing Room 3.

Budget presentation.

Testifying agencies: Office of Administration Leasing; Public Defender Commission

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 1, 2012, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DHSS Budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 31, 2012, 2:00 PM House Hearing Room 3.

Public Safety Budget will be discussed first, and, if time allows, Corrections Budget will be discussed.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 1, 2012, 2:00 PM House Hearing Room 6.

Public Safety Budget will continue if needed and proceed with Corrections Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 1, 2012, 2:30 PM House Hearing Room 7.

MoDOT Budget presentation.

BUDGET

Tuesday, January 31, 2012, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HCR 3, HB 1329

Executive session will be held: HCR 3, HB 1329

Executive session may be held on any matter referred to the committee.

Presentation of FY12 Supplemental Budget request.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 1, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1525

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, January 31, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1476, HB 1244, HB 1245, HB 1130

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, January 31, 2012, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 1250, HB 1457, HB 1106, HB 1442, HJR 41, HB 1060

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 1, 2012, 8:30 AM House Hearing Room 6.

Public hearing will be held: HB 1526

Executive session will be held: HB 1043, HB 1174

Executive session may be held on any matter referred to the committee.

HB 1526 will be heard from 8:30 AM to 10 AM.

Committee will recess.

Committee will reconvene at 3 PM in House Hearing Room 2 for Executive Session on HB 1043 and HB 1174.

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, January 31, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1444

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 1, 2012, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 1192, HB 1349, HB 1103, HB 1308

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 1, 2012, 7:00 PM, 2125 Missouri Blvd., Jefferson City, MO.

Committee Dinner.

FISCAL REVIEW

Thursday, February 2, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1051, HB 1169, HB 1300

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 1, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1123, HB 1033, HB 1188, HB 1274

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1339, HB 1199

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, January 31, 2012, 8:00 AM House Hearing Room 6.

Executive session will be held: HB 1041, HB 1042

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 1, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1114, HB 1268, HB 1211, HB 1373

Executive Session will be held: HB 1143, HB 1210, HB 1037, HB 1177

Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 1, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1032, HB 1280

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 2, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1226, HB 1138, HB 1139

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, January 31, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1179

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1040, HB 1150, HB 1295, HB 1402

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Wednesday, February 1, 2012, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 1220, HB 1344

CANCELLED

UTILITIES

Tuesday, January 31, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1108, HB 1361

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTEENTH DAY, TUESDAY, JANUARY 31, 2012

HOUSE BILLS FOR SECOND READING

HB 1560 through HB 1564

HOUSE BILLS FOR PERFECTION

1 HB 1104 - Schoeller

2 HB 1219 - Elmer

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

1 HB 1036 - Dugger

2 HB 1039 - Leara

3 HB 1099 - Fitzwater

4 HB 1100 - Fitzwater

5 HB 1105 - Day

6 HCS HB 1277 - Long

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, JANUARY 31, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Peace I leave with you, My peace I give unto you. Let not your heart be troubled. (John 14:27)

Eternal God, from the shifting scenes of our earthly life we pause to lift our hearts in prayer to You - Who are from everlasting to everlasting. From daily duties which consume so much of our strength, from meetings and schedules which take up so much of our time, we would for this fleeting moment raise our eyes of our hearts to heaven and gaze upon Your face.

In all anxious moments grant unto us the assurance that You are with us; that behind every shadow stands Your presence; within every situation abides Your Spirit and beneath every experience are Your everlasting arms. Breathe Your Holy Spirit upon us, upon our people and upon our state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 153

Allen	Anders	Asbury	Aull	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman

Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Atkins Oxford

PRESENT: 000

ABSENT WITH LEAVE: 008

Bahr	Barnes	Diehl	Ellinger	Franklin
Hughes	Korman	May		

HOUSE RESOLUTION

Representative Cierpiot offered House Resolution No. 491.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 440 through House Resolution No. 490
House Resolution No. 492 through House Resolution No. 496

HOUSE CONCURRENT RESOLUTION

Representative Oxford, et al., offered House Concurrent Resolution No. 26.

SECOND READING OF HOUSE BILLS

HB 1560 through **HB 1564** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 9 - Financial Institutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1257 - Higher Education

HB 1303 - Veterans

HB 1304 - Special Standing Committee on Government Oversight and Accountability

HB 1309 - Financial Institutions

HB 1488 - Utilities

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 443 - Transportation

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 3

Relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, under Article V of the Constitution of the United States:

"The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress"; and

WHEREAS, the following Amendment to the United States Constitution is proposed:

"Section 1. The annual expenditures of the Congress shall not exceed the annual revenue for any year, save for the use of monetary reserves, except as provided for in Sections 2 and 3.

Section 2. The Congress shall not borrow from any source, including its own funds and trusts, for any expense, except for the extraordinary costs of a declared war or armed conflict, or for a fiscal emergency declared by Congress and signed by the President of the United States.

Section 3. The Congress may issue special bonds for specific capital projects, which shall, in turn, be extinguished within twenty years of issuance. The cumulative total of all bonds issued in this manner shall never exceed twenty percent of the total private sector earned income.

Section 4. This amendment shall take effect beginning the fifteenth fiscal year after its ratification.

Section 5. This resolution shall not be construed as an application for a constitutional convention to the United States Constitution pursuant to Article V thereof.":

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby submit this resolution for a federal balanced budget Amendment to the United States Constitution and, pursuant to Article V of the United States Constitution, respectfully urge the United States Congress to submit the proposed Amendment to the United States Constitution to the States for ratification and inclusion in the United States Constitution; and

BE IT RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1179**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1565, introduced by Representatives Cauthorn, Lant, Reiboldt and Frederick, relating to the reporting of child abuse and neglect.

HB 1566, introduced by Representatives Nichols, White, Davis, Taylor and McCreery, relating to home exterior contractors.

HB 1567, introduced by Representatives Nichols, Spreng, Taylor and McCreery, relating to the purchase of catalytic converters.

HB 1568, introduced by Representatives McManus, Hummel, Newman, Torpey, Colona, Grisamore, Swearingen, Solon, Talboy, Morgan, Holsman, Largent, McDonald, Kratky, Ellinger and McGeoghegan, relating to the safe place for newborns act.

HB 1569, introduced by Representatives Funderburk, White and McCaherty, relating to sales and use taxes.

HB 1570, introduced by Representatives Oxford, Pace, Morgan, Walton Gray, McCreery, Jones (63), Spreng, Atkins, Still, Holsman, Nasheed, Smith (71), Brown (50), Pierson, McNeil, McDonald, May, Swearingen, Kirkton, Ellinger, Taylor, Carlson, Schupp, Hughes, Talboy, Lampe and Fallert, relating to the quality early childhood act.

HB 1571, introduced by Representatives Oxford, Atkins, Pace, Walton Gray, McCreery, Holsman, Casey, May, Carter, Hughes, and Talboy, relating to job growth.

HB 1572, introduced by Representatives Weter, Lant, Schneider, Zerr, Reiboldt, Schupp, McDonald, Kratky, Atkins, Meadows, Lampe, Schieffer, McNeil, Hampton, Fitzwater, Cross, McNary, Wallingford, Lasater, Redmon, Grisamore, Phillips, Scharnhorst, Wyatt, Stream, Lair, Hinson and Johnson, relating to school bullying.

HB 1573, introduced by Representatives Schneider, Jones (89), Talboy, Weter, Franklin, Cauthorn, Diehl, Hough, Franz, Hummel and Nasheed, relating to political subdivisions.

HB 1574, introduced by Representatives Meadows and Ellinger, relating to driver's license veteran designations.

HB 1575, introduced by Representative Guernsey, relating to the designation of a memorial highway.

HB 1576, introduced by Representatives Largent, Torpey, Lampe, Oxford, Stream and Long, relating to the purchase of state health insurance by certain foster parents.

HB 1577, introduced by Representatives Largent, Kirkton, Taylor, Torpey, Lampe, Oxford, Stream, Long and Burlison, relating to foster care students.

HB 1578, introduced by Representatives Largent, Torpey, Stream, Long and Burlison, relating to exemptions from income tax.

HB 1579, introduced by Representatives Davis, White, Brattin, Brown (116), Fisher, Schatz, Leach, Wells, Kelley (126) and Reiboldt, relating to educational credits for veterans.

HB 1580, introduced by Representatives Hodges, Conway (27), Shively, Fallert, Schieffer, Rizzo, Quinn, Harris, Meadows, Schupp, Kratky, McDonald, Aull, Colona and Smith (71), relating to insurance coverage for treatment of infertility.

HB 1581, introduced by Representatives Hodges, Schieffer, Shively, Fallert, Rizzo, Meadows, Aull, Hubbard, Pace, Denison and Colona, relating to prescription drug insurance coverage.

HB 1582, introduced by Representatives Hodges, Schieffer, Rizzo, Fallert, Lampe, McNeil, Meadows, Conway (27), McDonald, Casey, Quinn, Colona, Swinger, Aull, McManus, Smith (71), Guernsey, McGeoghegan, Swearingen, Newman, Dugger, Harris, Ellington, Lair, Wright, Fisher, Weter, Pollock and Nance, relating to vacancies in office.

HB 1583, introduced by Representatives Carter, Jones (63), Colona, Cox, McCann Beatty and Webb, relating to juvenile court jurisdiction.

HB 1584, introduced by Representatives Carter, Webb, Lasater, Hummel, Colona, Ellinger, Walton Gray, Fraker, Fitzwater and Hughes, relating to motor carrier exemptions.

HB 1585, introduced by Representatives Cross, Schoeller, Fraker, Houghton, Jones (117), Davis, Schneider, Schatz, Fitzwater, Shumake, Hampton, Weter, Lant, Molendorp, Sater, Lauer, Jones (89), Riddle, Redmon, Koenig, Anders, Conway (14), Brown (116), Gatschenberger, Berry, Bandom, Smith (150), McCaherty, Funderburk and Richardson, relating to landlords-tenants actions.

HB 1586, introduced by Representatives White, Davis, Kelley (126) and Weter, relating to sales taxes for public libraries.

HB 1587, introduced by Representatives Wyatt, Kelly (24), Fitzwater, Tilley, Lasater, Barnes, Torpey, McGhee, Shumake, Funderburk, Marshall, Schieber, Brown (85), Reiboldt, Weter, Webb, Carter, Newman, McManus, Pierson, Colona, Walton Gray, Meadows, Spreng, Smith (71), Fallert, Oxford, Hubbard, Nasheed, Still, Hummel, Aull, Brown (50), Jones (63), Webber, Pace, Schoeller, Talboy, Conway (14), Nance, Sifton, McCann Beatty, Rizzo, McDonald, Shively, Taylor, Zerr, Sater, Haefner, Lampe, Ellington, Morgan, Quinn, Phillips, Franklin, Ellinger, Nichols, Black, Swearingen, Sommer, McGeoghegan and Klippenstein, relating to the University of Missouri board of curators.

COMMUNICATION

January 31, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of possible interest in legislation on which the Missouri House of Representatives may vote during the legislative session. My husband and I are retired members of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Jeanie Riddle
Representative
District 20

The following members' presence was noted: Bahr, Barnes, Ellinger, Franklin, Hughes and Korman.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 1, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 2, 2012, House Hearing Room 5 upon morning adjournment.

Public hearing will be held: HR 89

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 1, 2012, 2:00 PM House Hearing Room 4.

Continuation of the Department of Natural Resources budget presentation, if needed.

Conservation Department's budget presentation.

Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

AMENDED

APPROPRIATIONS - EDUCATION

Wednesday, February 1, 2012, 8:00 AM House Hearing Room 3.

Institutional Presidents.

Will recess for session and reconvene at 2:00 pm in Hearing Room 1.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 1, 2012, House Hearing Room 3 upon morning adjournment.

Budget presentation

Testifying Agencies: Office of Administration Leasing; Public Defender Commission.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 1, 2012, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DHSS Budget presentation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 2, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

DHSS Budget overview, continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 1, 2012, 2:00 PM House Hearing Room 6.

Public Safety Budget will continue if needed and proceed with Corrections Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 1, 2012, 2:30 PM House Hearing Room 7.

MoDOT Budget presentation.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 1, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1525

Executive session may be held on any matter referred to the committee.

CANCELLED

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 1, 2012, 8:30 AM House Hearing Room 6.

Public hearing will be held: HB 1526

Executive session will be held: HB 1043, HB 1174

Executive session may be held on any matter referred to the committee.

HB 1526 will be heard from 8:30 AM to 10 AM.

Committee will recess will reconvene at 3 PM in House Hearing Room 2 for Executive Session on HB 1043 and HB 1174.

FINANCIAL INSTITUTIONS

Wednesday, February 1, 2012, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 1192, HB 1349, HB 1103, HB 1308, HB 1309

Executive session may be held on any matter referred to the committee.

AMENDED

FINANCIAL INSTITUTIONS

Wednesday, February 1, 2012, 7:00 PM 2125 Missouri Blvd., Jefferson City, MO.

Committee Dinner

FISCAL REVIEW

Thursday, February 2, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bill referred to the committee.

HEALTH CARE POLICY

Wednesday, February 1, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1123, HB 1033, HB 1188, HB 1274

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 6, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1144, HB 1113

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 1, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1088, HB 1286, HB 1165, HB 1166
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 1, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1114, HB 1268, HB 1211, HB 1373
Executive session will be held: HB 1143, HB 1210, HB 1037
Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 1, 2012, upon morning adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1032, HB 1280
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 2, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1226, HB 1138, HB 1139
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 13, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1305, HB 1487
Executive session may be held on any matter referred to the committee.

TAX REFORM

Monday, February 13, 2012, 7:00 PM 516 S Country Club, Jefferson City, MO.
Presentation.

TOURISM AND NATURAL RESOURCES

Thursday, February 2, 2012, 9:00 AM House Hearing Room 7.
Executive session will be held: HCR 13, HB 1191, HB 1251
Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Wednesday, February 1, 2012, House Hearing Room 5 upon morning adjournment.
Public hearing will be held: HB 1220, HB 1344
CANCELLED

WAYS AND MEANS

Thursday, February 2, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1055, HB 1182, HB 1200, HB 1239
Executive session may be held on any matter referred to the committee.
A House Committee Substitute has been submitted for HB 1055.

HOUSE CALENDAR

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 1, 2012

HOUSE BILLS FOR SECOND READING

HB 1565 through HB 1587

HOUSE BILLS FOR PERFECTION

- 1 HB 1104 - Schoeller
- 2 HB 1219 - Elmer

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

- 1 HB 1036 - Dugger
- 2 HB 1039 - Leara
- 3 HB 1099 - Fitzwater
- 4 HB 1100 - Fitzwater
- 5 HB 1105 - Day
- 6 HCS HB 1277 - Long

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 1, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Tommie Pierson.

Eternal God, we come this morning with bowed heads and humble hearts. We thank You for the privilege to gather here today. And as we gather, we ask that You would help us as we strive to do the people's business.

Let us demonstrate our love and concern for the great state of Missouri, that the decisions that we make be in the best interests of all Missourians.

So we ask for guidance, recognizing that we are fallible people. Help us to share the kind of love that can only be given by You through us.

We thank You for the great honor that has been bestowed upon all of us by the people that You gave Your life for. So now let us honor You through honoring the people that we serve.

That when our day is done - that we can hear You say "Well done, thou good and faithful servant." It is in the name of Him who said, "Come unto me, all you who labor and are heavily-laden, and I'll give you rest."

And the House says, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Levi Barnes, Ryan Holem, Megan Borges, Valerie Schlotzhauer, Julia Bernskoetter and Trenton Bernskoetter.

The Journal of the fifteenth day was approved as corrected by the following vote:

AYES: 161

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen

Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Diehl Klippenstein

Speaker Pro Tem Schoeller assumed the Chair.

Speaker Tilley resumed the Chair.

HOUSE RESOLUTION

Representative Sifton offered House Resolution No. 498.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 497 and House Resolution No. 499 through House Resolution No. 529

HOUSE CONCURRENT RESOLUTIONS

Representative Hubbard, et al., offered House Concurrent Resolution No. 27.

Representative Oxford, et al., offered House Concurrent Resolution No. 28.

Representative Oxford, et al., offered House Concurrent Resolution No. 29.

SECOND READING OF HOUSE BILLS

HB 1565 through **HB 1587** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1219, relating to discriminatory employment practices, was taken up by Representative Elmer.

Representative McNary assumed the Chair.

HB 1219 was laid over.

HB 1104, relating to voter identification requirements, was taken up by Representative Schoeller.

HB 1104 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1046 - Elections
HB 1047 - Local Government
HB 1073 - Agriculture Policy
HB 1074 - Insurance Policy
HB 1097 - Veterans
HB 1127 - Crime Prevention and Public Safety
HB 1134 - Small Business
HB 1148 - Crime Prevention and Public Safety
HB 1153 - Financial Institutions
HB 1208 - Judiciary
HB 1227 - Elementary and Secondary Education
HB 1236 - Elections
HB 1323 - Children and Families
HB 1338 - Transportation
HB 1340 - Elections
HB 1341 - Utilities
HB 1366 - Elementary and Secondary Education
HB 1379 - Small Business
HB 1383 - Special Standing Committee on Government Oversight and Accountability
HB 1384 - Judiciary
HB 1395 - General Laws
HB 1396 - Local Government
HB 1397 - Local Government
HB 1403 - Workforce Development and Workplace Safety
HB 1431 - Transportation

HB 1513 - General Laws

HB 1517 - Veterans

HB 1518 - Special Standing Committee on Disability Services

HB 1522 - Special Standing Committee on Disability Services

HB 1527 - Judiciary

HB 1532 - Crime Prevention and Public Safety

HB 1533 - Health Insurance

HB 1534 - General Laws

HB 1541 - Health Care Policy

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1329**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1298 and HB 1180**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1093**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1141**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1156**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1269**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 73, introduced by Representatives Smith (150), Sommer, Frederick, Hinson, Bahr and Koenig, relating to the prohibition of toll roads.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1588, introduced by Representatives Harris, Aull, Schieffer, Hodges, Fallert, Walton Gray and Morgan, relating to relocation of a child.

HB 1589, introduced by Representatives Schieffer and Gatschenberger, relating to ordinances adopted by political subdivisions regulating firearms.

HB 1590, introduced by Representative Gatschenberger, to authorize the conveyance of property owned by the state to the state highways and transportation commission.

HB 1591, introduced by Representative Flanigan, relating to sales taxes for public libraries.

HB 1592, introduced by Representatives Jones (89), Talboy, Torpey, Scharnhorst, Cierpiot, Diehl, Dieckhaus, Berry, Lauer, Zerr, Jones (117), Fraker, Riddle, Long, Bernskoetter, Jones (63), Taylor, Holsman, Conway (27), Hummel, McCann Beatty, Brown (50), Carter, Carlson, Swearingen, Rizzo, Ellington and McManus, relating to sales tax and revenue bonds.

HB 1593, introduced by Representatives Jones (89), Talboy, Torpey, Berry, Lauer, Zerr, Jones (117), Long, McGhee, Fraker, Riddle, Hough, Hinson, Bernskoetter, Scharnhorst, Jones (63), Taylor, Holsman, Conway (27), Hummel, McCann Beatty, Lampe, Brown (50), Carter, Schupp, Carlson, Swearingen, Anders, Morgan, Rizzo, Ellington and McManus, relating to the Missouri Angel Investment Incentive Act.

HB 1594, introduced by Representatives Shively, Aull, McNeil, Kelly (24), Webb and Quinn, relating to the approval or disapproval of long-term care insurance rates by the director of the department of insurance, financial institutions and professional registration.

HB 1595, introduced by Representatives Lampe, Hummel, Atkins, Nichols, Ellinger and McNeil, relating to the creation of an advisory council on the education of gifted and talented children.

HB 1596, introduced by Representatives Lampe, Silvey, Hummel, Nichols, Atkins, Higdon, Shively, Asbury, Ellinger, McNeil, Barnes, Stream, Brattin and Franklin, relating to educational programs for gifted and talented children.

HB 1597, introduced by Representatives Lampe, Newman, McCreery, Nichols, Pace, Webb, Fallert, Schieffer, Rizzo, Kratky, Ellinger, Morgan, Meadows, McCann Beatty, Ellington, Carter, Oxford, Spreng, Schupp, Nasheed, Kelly (24), Kirkton, Carlson, Sifton, Webber, Anders, Hughes, Brown (50), Casey, Walton Gray, Hummel, Talboy, Hubbard, Jones (63), Taylor, McNeil, Montecillo, Hodges, Conway (27), Holsman, May, Colona, McGeoghegan, Pierson, Schneider, Swearingen, Kander, McDonald, Atkins, Still, Smith (71), Zerr, Wyatt and McManus, relating to school safety.

HB 1598, introduced by Representatives Hubbard, Pace, Ellinger, Morgan, Carter, May, Montecillo, Lampe, Nasheed, Brown (50), Hughes and Walton Gray, relating to domestic violence.

HB 1599, introduced by Representative Webber, relating to trial procedure for first degree murder.

HB 1600, introduced by Representatives Webber, Still, Schupp and McGeoghegan, relating to retirement benefits for members of the general assembly.

HB 1601, introduced by Representatives Webber and Schupp, relating to public holidays.

HB 1602, introduced by Representatives Wyatt, McNeil, McCann Beatty, McGeoghegan, Hodges, Sifton, Pierson, Loehner, Holsman and Funderburk, relating to school cleaning supplies.

HB 1603, introduced by Representatives Hough and Franz, relating to services provided by athletic trainers.

HB 1604, introduced by Representatives Oxford, Lampe, Hodges, Still, Morgan, Hughes, Black, McCreery, Aull, Fallert, Carter, Schupp, Taylor, McNeil, Anders, Smith (71), Ellinger, Pace, Walton Gray, May, Atkins, Talboy, McGeoghegan, Webber, Newman, Schieffer, Spreng, Pierson, Carlson, Colona, Jones (63) and Ellington, relating to school class size.

HB 1605, introduced by Representatives Oxford, Atkins, Morgan, Pace, Walton Gray, McCreery, Kirkton, Holsman, Still, Rizzo, Jones (63), Spreng, Nasheed, Smith (71), Brown (50), Pierson, McNeil, Newman, McGeoghegan, McDonald, May, Montecillo, Ellington, Ellinger, Taylor, Carlson, Schupp, Carter, Hughes, Talboy, Lampe, Colona, Fallert, McCann Beatty, Nichols and Harris, relating to prepayment loan penalties.

HB 1606, introduced by Representatives Oxford, Walton Gray, Morgan, Pace, McCreery, McManus, Rizzo, Jones (63), Spreng, Hodges, Atkins, Nasheed, Smith (71), Brown (50), Pierson, Kirkton, McNeil, Newman, McGeoghegan, McDonald, May, Montecillo, Swearingen, Ellington, Ellinger, Taylor, Carlson, Webber, Schupp, Carter, Webb, Hughes, Talboy, Colona, Fallert, Nichols, Schieffer, Sifton, Meadows, Black and Anders, relating solely to the creation of an earned income tax credit.

HB 1607, introduced by Representatives Oxford, Newman, Hubbard, Morgan, Pace, Walton Gray, McCreery, Kirkton, Jones (63), Atkins, Holsman, Still, Spreng, Nasheed, Smith (71), Brown (50), Kelly (24), Pierson, McNeil, McDonald, May, Montecillo, Swearingen, Ellington, Ellinger, Taylor, Carlson, Webber, Schupp, Carter, McCann Beatty, Webb, Hughes, Talboy, Lampe, Colona, Nichols, Kander and Sifton, relating to the compassionate assistance for rape emergencies act.

HB 1608, introduced by Representatives McNary, Rowland, Bahr, Conway (14), Brown (85), Koenig, Molendorp, Riddle, Gatschenberger, Long, Davis, Brattin, Lant, Wieland, Kelly (24), Brown (116), McCaherty, Haefner and Schoeller, for the sole purpose of repealing unfunded and obsolete programs.

HB 1609, introduced by Representatives Nasheed, Hummel and Hubbard, relating to student study plans.

HB 1610, introduced by Representative Nasheed, relating to compulsory attendance for school age children.

HB 1611, introduced by Representatives Nasheed, McCreery, Hubbard, Oxford, Pierson, Pace, Zerr and McNeil, relating to real estate foreclosure.

HB 1612, introduced by Representatives Burlison, Denison, Wells, Meadows and Kratky, relating to the regulation of outdoor advertising.

HB 1613, introduced by Representatives Franklin, Brown (116), Lant, Reiboldt, Brown (85), White, Schatz, Houghton, Schneider and Fisher, relating to fee office contracts.

HB 1614, introduced by Representative Sifton, relating to drug testing of offenders on probation or parole.

HB 1615, introduced by Representatives Oxford, Morgan, Pace, Walton Gray, McCreery, Kirkton, Holsman, Still, McManus, Rizzo, Jones (63), Spreng, Atkins, Nasheed, Smith (71), Brown (50), Pierson, McNeil, Newman, McGeoghegan, McDonald, May, Montecillo, Swearingen, Ellington, Ellinger, Taylor, Carlson, Webber, Carter, McCann Beatty, Hughes, Talboy, Lampe, Colona, Fallert, Nichols, Harris and Cox, relating to actions for money damages for conduct or speech at public hearings or meetings.

HB 1616, introduced by Representatives Oxford, Kirkton, Pace, Walton Gray, McCreery, Jones (63), Atkins, Smith (71), Nasheed, Pierson, McGeoghegan, Brown (50), Hummel, McDonald, May, McCann Beatty, Montecillo, Ellinger, Taylor, Carlson, Carter, Webb, Hughes, Talboy, Fallert, Ellington and Morgan, relating to individual income tax.

HB 1617, introduced by Representatives Oxford, Hubbard, Pace, Walton Gray, McCreery, Kirkton, Jones (63), Spreng, Atkins, Nasheed, Smith (71), Brown (50), McGeoghegan, Pierson, Hummel, Aull, McDonald, May, Ellinger, Taylor, Carlson, Schupp, Carter, McCann Beatty, Webb, Hughes, Talboy, Lampe, Fallert, Ellington and Morgan, relating to deductions for federal income tax liability.

HB 1618, introduced by Representatives Schieffer and Gatschenberger, relating to ordinances adopted by political subdivisions regulating firearms.

HB 1619, introduced by Representatives McNeil, McCreery, Oxford, McCann Beatty, Pierson, May, Kirkton, Newman and Ellinger, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

HB 1620, introduced by Representatives McNeil, McCann Beatty, Newman, McCreery, Oxford, May, Kirkton and Ellinger, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

HB 1621, introduced by Representatives Brown (116) and Franz, relating to discrimination against persons for the lawful carry or use of firearms.

HB 1622, introduced by Representatives Jones (117) and Frederick, relating to advertisements for health care services.

HB 1623, introduced by Representatives Ellinger, Carlson, Hummel, Oxford, McDonald, Pace, Walton Gray, Aull, Black, Spreng, Hubbard, Nichols, Anders, Taylor, Schupp, McGeoghegan, Atkins, Colona, Webb, Newman, Brown (50), Hughes, Smith (71), Pierson, Montecillo, Still, Lampe, Stream, Zerr, McCreery, Diehl, Kelly (24) and McNary, relating to members of economic development tax boards.

HB 1624, introduced by Representatives Ellinger, Pace, McDonald, Walton Gray, Meadows, Kratky, Oxford, Smith (71), Hubbard, May, Schupp, McCreery, Newman, Carter, Taylor, Pierson and Nichols, relating to the right to clemency in capital cases.

HB 1625, introduced by Representatives Ellinger, Pace, McDonald, Walton Gray and Meadows, relating to fairness in the infliction of the death penalty.

HB 1626, introduced by Representative Sommer, relating to school directors in urban districts.

HB 1627, introduced by Representatives Jones (117), Richardson and Elmer, relating to department of revenue motor vehicle and driver registration records.

HB 1628, introduced by Representative Barnes, relating to summary statements for petitions.

HB 1629, introduced by Representative Barnes, relating to virtual schools.

COMMITTEE APPOINTMENT

February 1, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jonas Hughes to the Committee on Tax Reform.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

LETTER OF OBJECTION

January 31, 2012

The Honorable Adam Crumbliss
Chief Clerk, Missouri House of Representatives

Greetings:

Whereas, on January 30, 2012, **HB 1277** was duly placed on the House Consent Calendar for Perfection, and

Whereas, the Rules of the House require all bills placed upon the House Consent Calendar for Perfection to be noncontroversial in nature, and

Whereas, the rules of the House require all bills placed upon the House Consent Calendar for Perfection to not increase net expenditures of the state, and

Whereas, the Rules of the House provide that five members of the House, with at least two from each political party may file written objection with the Chief Clerk, thereby removing such bill from the House Consent Calendar for Perfection and requiring it be placed upon the House Bills to be Perfected and Printed Calendar,

Now, Therefore, we the undersigned members of the Missouri House of Representatives, pursuant to House Rule 45(b), object to **HB 1277** placement upon the House Consent Calendar for Perfection and respectfully request its removal under the Rules.

Member	District	Party
/s/ Nick Marshall	30	Republican
/s/ Sheila Solon	55	Republican
/s/ Rick Brattin	124	Republican
/s/ Brent Lasater	53	Republican

/s/ Rory Ellinger	72	Democrat
/s/ Chris Kelly	24	Democrat
/s/ Ronald Schieber	32	Republican

COMMUNICATIONS

February 1, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am a captive license insurance producer and State Farm agency owner.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Representative Don Gosen
84th District

February 1, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am a minority owner in a craft brewery located within the state of Missouri.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Representative Don Gosen
84th District

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 2, 2012.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Karla May, District 57, hereby state and affirm that my vote as recorded on Page 192 of the Journal of the House for Tuesday, January 31, 2012, to approve the Journal of the House for the fourteenth day was recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted “Aye.” I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of February, 2012.

/s/ Karla May
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 1st day of February in the year 2012.

/s/ Megan Limbach
Notary Public

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 2, 2012, Upon Morning Adjournment House Hearing Room 5.
Public hearing will be held: HR 89
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 7, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1404
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 2, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
DHSS Budget overview, continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup for Public Safety and Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Markup for Public Safety and Corrections.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 7, 2012, 8:00 AM House Hearing Room 3.

DED Budget presentation (may require continuation in afternoon meeting).

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 7.

DED Budget presentation continuation (if necessary).

FISCAL REVIEW

Thursday, February 2, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, February 6, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1144, HB 1113

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 2, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1226, HB 1138, HB 1139

Executive session may be held on any matter referred to the committee.

CANCELLED

RETIREMENT

Monday, February 6, 2012, 2:00 PM House Hearing Room 5.

Public hearing will be held: HB 1226, HB 1139

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 13, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1305, HB 1487

Executive session may be held on any matter referred to the committee.

TAX REFORM

Monday, February 13, 2012, 7:00 PM, 516 S Country Club, JC.

Presentation

TOURISM AND NATURAL RESOURCES

Thursday, February 2, 2012, 9:00 AM House Hearing Room 7.

Executive session will be held: HCR 13, HB 1191, HB 1251

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 2, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1055, HB 1182, HB 1200, HB 1239

Executive session may be held on any matter referred to the committee.

A House Committee Substitute has been submitted for HB 1055.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 6, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1131

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTEENTH DAY, THURSDAY, FEBRUARY 2, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 73

HOUSE BILLS FOR SECOND READING

HB 1588 through HB 1629

HOUSE BILLS FOR PERFECTION

- 1 HB 1104 - Schoeller
- 2 HB 1219 - Elmer
- 3 HCS HB 1277 - Long

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

- 1 HB 1036 - Dugger
- 2 HB 1039 - Leara
- 3 HB 1099 - Fitzwater
- 4 HB 1100 - Fitzwater
- 5 HB 1105 - Day

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTEENTH DAY, THURSDAY, FEBRUARY 2, 2012

The House met pursuant to adjournment.

Representative Long in the Chair.

Prayer by Representative Jeff Grisamore.

Heavenly Father, we thank You for Your word that says we can find grace and receive mercy to help us in our time of need. We ask You for Your mercy and grace upon the state of Missouri.

We thank You for the privilege to serve You through serving the citizens of Missouri.

We pray according to Colossians 1:9-10 that You would fill us with the knowledge of Your will through all spiritual wisdom and understanding, that we may live a life worthy of You and please You in every way, bearing fruit in every good work and growing in the knowledge of You and being strengthened with all power according to Your glorious might so that we may have great endurance and patience.

We pray for Your continual guidance and wisdom as we serve the people of Missouri. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 530 through House Resolution No. 548

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 73 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1588 through **HB 1629** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 333 - Judiciary

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 7 - General Laws

HCR 11 - Agri-Business

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 44 - Special Standing Committee on Judicial Reform

HJR 70 - Elementary and Secondary Education

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1053 - Economic Development

HB 1071 - Crime Prevention and Public Safety

HB 1133 - Elementary and Secondary Education

HB 1176 - Economic Development

HB 1201 - Elementary and Secondary Education

HB 1206 - Elementary and Secondary Education

HB 1216 - Higher Education

HB 1224 - International Trade and Job Creation

HB 1240 - Workforce Development and Workplace Safety

HB 1248 - Veterans

HB 1264 - Transportation

HB 1271 - Agri-Business

HB 1272 - Corrections

HB 1278 - Children and Families

HB 1285 - Utilities

HB 1288 - Judiciary

HB 1334 - Crime Prevention and Public Safety

HB 1345 - Transportation Funding and Public Institutions

HB 1348 - Elementary and Secondary Education

HB 1359 - Special Standing Committee on Government Oversight and Accountability

HB 1367 - Workforce Development and Workplace Safety

HB 1371 - Professional Registration and Licensing

HB 1376 - Financial Institutions

HB 1378 - Transportation

HB 1381 - Ways and Means

HB 1387 - Elementary and Secondary Education

HB 1390 - Workforce Development and Workplace Safety

HB 1399 - Professional Registration and Licensing
HB 1400 - Financial Institutions
HB 1441 - Workforce Development and Workplace Safety
HB 1453 - Local Government
HB 1458 - Local Government
HB 1459 - Elementary and Secondary Education
HB 1467 - Higher Education
HB 1473 - Judiciary
HB 1475 - Health Care Policy
HB 1477 - Agri-Business
HB 1493 - Economic Development
HB 1495 - Insurance Policy
HB 1497 - Elementary and Secondary Education
HB 1505 - Judiciary
HB 1512 - Judiciary
HB 1539 - Elementary and Secondary Education
HB 1549 - General Laws

COMMITTEE REPORTS

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1192**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 13

WHEREAS, the rivers and streams of the State of Missouri are a great natural resource and benefit to the citizens of Missouri and the aquatic life therein; and

WHEREAS, these rivers and streams run through the heartland and fertile bottom lands that produce our abundant food supply and provide a large part of our agricultural income; and

WHEREAS, the farmers and landowners who have lived and farmed along these stream banks for generations have the right to protect and preserve their precious soil so as to protect and continue their way of life; and

WHEREAS, these streams need to be managed in a manner that is beneficial to the stream's aquatic life as well as the farmer's interest in protecting private property, financial interest, and ability to feed their family and yours; and

WHEREAS, the federal and state agencies in charge of regulating in-stream activities, including stream bank stabilization, gravel removal and excavation, vegetation removal, or a combination thereof, are basing their decisions

and practice approval on policy developed not on scientific study but solely on their priorities determined by these agencies and their commenting groups; and

WHEREAS, the federal and state agencies as well as their commenting groups that are in charge of protecting the aquatic life and environment of these streams and rivers should base their decisions and practices on unbiased scientific studies that take into account all aspects of these streams, including flood control, soil conservation, gravel buildup, and the aquatic life, and not undertake actions to achieve policy goals; and

WHEREAS, these federal agencies as well as their commenting groups should place as much importance on our farmers' fields, private property, and precious soils as the aquatic life in these streams:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage our Governor and our Missouri Congressional delegation to demand these agencies review all policy decisions on in-stream activity, thereby promoting the use of sound scientific research and data that is produced from unbiased studies; and

BE IT FURTHER RESOLVED that our Missouri Congressional delegation demand federal and state agencies as well as their commenting groups base past and future decisions and practices involving any stream activity inside the high banks on unbiased scientific university studies along with practices that have been proven effective over generations of landowner implementing; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the United States Army Corps of Engineers, the Bureau of Land Management and the Fish and Wildlife Service within the United States Department of Interior, the United States Environmental Protection Agency, the United States Department of Agriculture, the Missouri Congressional delegation, Governor Jay Nixon, the Missouri Department of Conservation, the Missouri Department of Agriculture, and the Missouri Department of Natural Resources.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1251**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 2014, introduced by Representative Silvey, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2012.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1630, introduced by Representative Franz, relating to the highways and transportation commission.

HB 1631, introduced by Representatives Walton Gray, McCreery, Newman, Pace, Nichols, Hubbard, McGeoghegan, Spreng, Zerr, Schad, Oxford, Jones (63), Brown (50), May, Shively, Aull, Cookson and Carter, relating to dating violence education in secondary schools.

HB 1632, introduced by Representatives Walton Gray, Jones (117), Pace, McGeoghegan, Atkins, Oxford, Colona, Ellinger, Brown (50), Meadows, Hubbard, Swearingen, Carlson, McDonald, Kratky, Fallert, McCreery, Still, Black, Riddle, Quinn, Long, Nichols, Lasater, Fraker, Cierpiot, Lant and Cross, relating to vacation leave for state employees.

HB 1633, introduced by Representatives Walton Gray, Colona and Ellinger, relating to delinquent real estate payments.

HB 1634, introduced by Representative Ruzicka, relating to the recycling of newspapers.

HB 1635, introduced by Representatives Still, McManus, Black, Fallert, Wallingford, Ellinger, Smith (71), Swinger, Wright, Sifton, Carter, Hummel, Webb, McGhee, Stream, Higdon, Phillips and Webber, relating to Missouri state humane association special license plate.

HB 1636, introduced by Representatives Fuhr, Jones (89), McNary, Haefner, Ellinger, Brown (85), Sifton, Funderburk, Colona, Pace, Stream, Koenig, Bahr and Smith (71), relating to the election of courts to hear violations of municipal ordinances.

HB 1637, introduced by Representatives Curtman, Koenig, Bahr, Higdon, Schatz, Brattin, Wyatt, Burlison, McNary, Kelley (126) and Fuhr, relating to legal tender.

HB 1638, introduced by Representatives Curtman, Parkinson, Koenig, Bahr and Brattin, relating to ordinances adopted by political subdivisions regulating firearms.

HB 1639, introduced by Representatives Nolte, Allen, Neth, Conway (14), Nance, Shumake, Koenig and Brown (85), relating to the taxation of business income.

HB 1640, introduced by Representatives Denison, Meadows, Cookson, Shumake, Rowland, Long, Fallert, McDonald, Schieffer and Conway (27), relating to motor vehicle dealers.

HB 1641, introduced by Representatives Pollock, Denison, Wells, Holsman, Nasheed, Molendorp, Loehner and Entlicher, relating to an American Red Cross special license plate.

HB 1642, introduced by Representatives Fitzwater and Black, relating to minimum pay for certain corrections employees.

HB 1643, introduced by Representatives Fitzwater, Black, Shumake, Oxford and Lasater, relating to state employee salary increases.

HB 1644, introduced by Representative Barnes, relating to the licensing period for certain licenses issued by the Missouri gaming commission.

HB 1645, introduced by Representative Fisher, relating to expungement.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 464**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to the authority for creating and operating health insurance exchanges in Missouri, with a referendum clause.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

February 2, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Melissa Leach as a member of the Committee on Workforce Development and Workplace Safety and appoint Representative Gary Fuhr.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

The following members' presence was noted: Allen, Anders, Atkins, Bahr, Barnes, Berry, Black, Brandom, Brown (116), Burlison, Carlson, Carter, Casey, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Curtman, Denison, Dieckhaus, Dugger, Ellinger, Ellington, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franz, Fuhr, Gatschenberger, Gosen, Guernsey, Haefner, Hampton, Harris, Higdon, Hodges, Holsman, Houghton, Hubbard, Hughes, Hummel, Johnson, Jones (63), Jones (89), Jones (117), Kelley (126), Kelly (24), Kirkton, Koenig, Korman, Kratky, Lair, Lampe, Lant, Largent, Lasater, Leach, Loehner, Marshall, McCann Beatty, McCreery, McDonald, McGhee, McNary, McNeil, Meadows, Molendorp, Montecillo, Morgan, Nasheed, Neth, Newman, Nichols, Oxford, Pace, Pollock, Quinn, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schatz, Schieber, Schieffer, Schneider, Shumake, Sifton, Silvey, Smith (71), Smith (150), Solon, Sommer, Spreng, Still, Stream, Swearingen, Taylor, Thomson, Tilley, Torpey, Wallingford, Walton Gray, Wells, Weter, White, Wyatt and Zerr.

ADJOURNMENT

On motion of Representative Long, the House adjourned until 4:00 p.m., Monday, February 6, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 7, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1404

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 4.

DNR Budget presentation (continued).

Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 4.

Discussion of horse processing in Missouri.

Department of Conservation Budget presentation (continued).

Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - EDUCATION

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 1.

Analyst markup sheets.

APPROPRIATIONS - EDUCATION

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 1.

Analyst markup sheets continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 6, 2012, 12:00 PM House Hearing Room 3.

Budget presentation.

Testifying Officials and/or Agencies: Lieutenant Governor; Attorney General; General Assembly; Judiciary.

NOTE: Due to scheduling conflicts, the Lieutenant Governor will not be in attendance until mid-hearing. All other officials and agencies should be prepared to testify at any point during the hearing. Should any testimony not be completed by 3:15 PM, committee will recess and reconvene the hearing upon adjournment of the House.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 7, 2012, 12:00 PM House Hearing Room 3.

Budget presentation.

Testifying Officials and/or Agencies: Governor (Chief of Staff); Treasurer; Secretary of State.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 8, 2012, Upon Adjournment of Budget Committee House Hearing Room 3.

Budget presentation.

Testifying Officials and/or Agencies: Auditor; Tax Commission; Lottery Commission; Department of Revenue.

NOTE: Due to scheduling conflicts, hearing will commence shortly after adjournment of the Budget hearing that day.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup for Public Safety and Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Markup for Public Safety and Corrections.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 7, 2012, 8:00 AM House Hearing Room 3.

DED Budget presentation (may require continuation in afternoon meeting).

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 7.

DED Budget presentation continuation (if necessary).

ECONOMIC DEVELOPMENT

Tuesday, February 7, 2012, 5:00 PM House Hearing Room 7.

Work session - no public testimony.

ELECTIONS

Tuesday, February 7, 2012, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 1236, HB 1340, HB 1365

Executive session will be held: HB 1059, HB 1060, HB 1106, HB 1457, HJR 41, HB 1442

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 7, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1513, HB 1318, HB 1317

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 8, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1541

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 6, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1144, HB 1113

Executive session may be held on any matter referred to the committee.

RETIREMENT

Monday, February 6, 2012, 2:00 PM House Hearing Room 5.

Public hearing will be held: HB 1226, HB 1139

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Monday, February 6, 2012, 3:00 PM House Hearing Room 2.

Executive session will be held: HCS HCR 3, HCR 13, HJR 45, HB 1075, HB 1093, HB 1141, HB 1156, HB 1179, HB 1185, HCS HBs 1186 & 1147, HB 1250, HB 1251, HB 1269, HCS HBs 1298 & 1180, HCS HB 1311, HCS HB 1329, HCS HB 1370

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 6, 2012, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 1518, HB 1522

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Presentation from the Missouri Supreme Court and Judge Mary Russell.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 13, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1305, HB 1487

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1356, HB 1215

Executive session may be held on any matter referred to the committee.

TAX REFORM

Monday, February 13, 2012, 7:00 PM, 516 S Country Club, JC.

Presentation

URBAN ISSUES

Monday, February 6, 2012, Upon Evening Adjournment House Hearing Room 5.

Public hearing will be held: HB 1273, HB 1466

Executive Session will be held: HB 1220, HB 1344

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 7, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1303, HB 1098, HCR 12, HB 1128, HB 1347, HB 1517

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 6, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1131

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

EIGHTEENTH DAY, MONDAY, FEBRUARY 6, 2012

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 2014

HOUSE BILLS FOR SECOND READING

HB 1630 through HB 1645

HOUSE BILLS FOR PERFECTION

- 1 HB 1104 - Schoeller
- 2 HB 1219 - Elmer
- 3 HCS HB 1277 - Long

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

- 1 HB 1036 - Dugger
- 2 HB 1039 - Leara
- 3 HB 1099 - Fitzwater
- 4 HB 1100 - Fitzwater
- 5 HB 1105 - Day

SENATE BILLS FOR SECOND READING

SS SB 464

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

EIGHTEENTH DAY, MONDAY, FEBRUARY 6, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

Dear Lord, through Your prophet Isaiah, You have revealed that “It is You who sits above the circle of the earth...It is You who stretches out the heavens like a curtain and spreads them out like a tent to dwell in. It is You who reduces rulers to nothing, It is You who makes the judges of the earth meaningless. Scarcely have they been planted, scarcely have they been sown, scarcely has their stock taken root in the earth, but He merely blows on them, and they wither, and the storm carries them away like stubble.” (Isaiah 40:22-24)

Lord, please remind us that we all, regardless of profession and stage in life, are here today and gone tomorrow. Remind each of us when we walk down the halls and see the photographs of past legislators that one future day today’s legislators will be past legislators.

Therefore, may each one be of a humble mind and spirit, seeking to be diligent in his or her service by honoring You in all that is done.

Only You, O Lord, remain eternal.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good, and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son’s name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as printed.

The Journal of the seventeenth day was approved as corrected by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher

Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Hughes	Largent	McCaherty	Nolte
Weter				

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 549 through House Resolution No. 556

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 2014 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1630 through **HB 1645** were read the second time.

SECOND READING OF SENATE BILL

SS SB 464 was read the second time.

Representative Smith (150) assumed the Chair.

PERFECTION OF HOUSE BILL

HB 1104, relating to voter identification requirements, was taken up by Representative Schoeller.

Speaker Tilley resumed the Chair.

HB 1104 was laid over.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 47 - Elections
HJR 52 - Tourism and Natural Resources
HJR 63 - Agriculture Policy
HJR 64 - General Laws

REFERRAL OF HOUSE BILL - APPROPRIATIONS

HB 2014 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1063 - Tourism and Natural Resources
HB 1083 - Crime Prevention and Public Safety
HB 1209 - Economic Development
HB 1231 - Transportation Funding and Public Institutions
HB 1382 - Judiciary
HB 1419 - Crime Prevention and Public Safety
HB 1430 - Crime Prevention and Public Safety
HB 1460 - Judiciary
HB 1498 - General Laws
HB 1510 - Transportation
HB 1521 - Ways and Means
HB 1540 - Workforce Development and Workplace Safety
HB 1576 - Children and Families
HB 1587 - Higher Education
HB 1609 - Elementary and Secondary Education
HB 1610 - Elementary and Secondary Education
HB 1621 - General Laws

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1049 - Children and Families

COMMITTEE REPORTS

Committee on Rules, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1075**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1093**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1141**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1156**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1179**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1185**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1186 & 1147**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1251**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1269**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1298 & 1180**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1311**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1329**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 2001, introduced by Representative Silvey, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2002, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2003, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2004, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2005, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2006, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2007, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2008, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2009, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2010, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2011, introduced by Representative Silvey, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2012, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2013, introduced by Representative Silvey, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

HB 2019, introduced by Representative Silvey, to appropriate money for purposes for the several departments and offices of state government; for planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2012 and ending June 30, 2013.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1646, introduced by Representatives Brown (116) and Schad, relating to the issuance of temporary boating safety identification cards to nonresidents.

HB 1647, introduced by Representatives Riddle, Taylor, Fitzwater, Fuhr, Schad, Dugger, Anders, Holsman, Hummel, Smith (71), Davis, Webb, Ruzicka, Conway (14), Scharnhorst, Cauthorn, Korman, McNary, Hough, Hinson and Johnson, relating to fees for hazardous substances.

HB 1648, introduced by Representative Nasheed, relating to voter centers.

HB 1649, introduced by Representative McGhee, relating to the certified home inspection profession title protection act.

HB 1650, introduced by Representatives Spreng, Zerr, Hubbard, Wyatt, Haefner, Casey, Hummel, Hughes, Brown (50), Nichols, Colona, Torpey, McNary, Conway (14), Cierpiot, Schneider, Schad and Walton Gray, relating to domestic violence education in elementary and secondary schools.

HB 1651, introduced by Representatives McGeoghegan, Ellington, Morgan, Harris, Anders, Marshall, Lauer, Pace, Lampe, Swearingen, Montecillo, Atkins, Hodges, Meadows, Fallert, Casey, Walton Gray, Rizzo, Talboy, Hughes, Colona, McManus, Aull, Zerr, Brown (116), Long, Burlison, McNary, Riddle, Gatschenberger, Schatz, Cauthorn, Oxford, Conway (14), Newman, Conway (27), Smith (71), White, McCann Beatty and Lant, relating to the designation of spinal cord injury month in Missouri.

HB 1652, introduced by Representatives McGeoghegan, Ellington, Morgan, Harris, Anders, Pace, Lauer, Lampe, Swearingen, Montecillo, Atkins, Hodges, Meadows, Fallert, Casey, Smith (71), Walton Gray, Rizzo, Talboy, Hughes, Colona, McManus, Aull, Zerr, Brown (116), Burlison, Long, McNary, Riddle, Gatschenberger, Schatz, Cauthorn, Oxford, Newman, White, Conway (27), McCann Beatty and Lant, relating to the designation of fibromyalgia month in Missouri.

HB 1653, introduced by Representatives Kelly (24), Still, Kirkton, Talboy, Montecillo, Schupp, Carlson, Taylor, McCreery, Fallert, Anders, McNeil, McCann Beatty, Spreng, Ellinger, Lampe, Hummel, Morgan, Swearingen, McGeoghegan, Hodges, Pace, Walton Gray, Oxford, Rizzo, Nichols, Smith (71), Black, Sifton, Colona, Jones (63), Webber, Shively, Aull and May, relating to campaign disclosure reports.

HB 1654, introduced by Representatives Kirkton, Nasheed, Oxford, McNeil, Newman, Torpey, McCann Beatty, Talboy, McCreery, Taylor, Spreng, Jones (63), McManus, Carlson, Schupp, McDonald, McGeoghegan, Casey, Kratky, Atkins, Pace, Anders, Montecillo, Lasater, Walton Gray, Smith (71), Meadows, May, Ellinger, Grisamore, Lampe, Colona, Pierson, Nichols, Carter, Hummel, Funderburk, Sifton, Hubbard and Rizzo, relating to animal shelter fees.

HB 1655, introduced by Representative Riddle, relating to products liability.

HB 1656, introduced by Representatives Webber and Kelly (24), relating to the multijurisdictional internet cyber crime law enforcement task force.

HB 1657, introduced by Representatives Webber and Meadows, relating to state contracts.

HB 1658, introduced by Representatives Molendorp, Guernsey, Phillips, Kelley (126), Burlison, Lichtenegger and Torpey, relating to the duty to maintain motor vehicle financial responsibility.

HB 1659, introduced by Representatives Torpey, Brown (50), Holsman, Neth, Rizzo, Berry, McCann Beatty, Talboy, McManus, Lauer, Cross and Swearingen, relating to land tax collection.

HB 1660, introduced by Representatives Holsman, Hummel, Talboy, Atkins, Conway (27), Newman, Kelly (24), Still, Rizzo, Swearingen, McManus, Taylor, Pierson, Montecillo, Nasheed, Jones (63), McNeil, Loehner, Colona, Wyatt, Ellington, Lampe, Guernsey, Kirkton, McCann Beatty, Webb, McCreery, Pace, Oxford, Long, Molendorp, May, Carter, Carlson, Walton Gray, Anders, Morgan, Schupp, Smith (71), Ellinger, Nichols, Tilley, Webber, Sifton, Casey and Hough, relating to urban agricultural zones.

HB 1661, introduced by Representatives Hoskins, Lauer, Tilley, Lichtenegger, Cierpiot, Hinson, Korman, Funderburk, Keeney, Scharnhorst, Johnson, Loehner, Torpey, Jones (117), Lant, Rowland, Reiboldt, Brown (85), Curtman, Guernsey, Bernskoetter, Dugger, Long, Diehl, Higdon, Davis, Brattin, White, Crawford, Entlicher, Berry, Fitzwater, Marshall, Stream, Cox, Phillips, Brown (116), Wieland, Hampton, Zerr, Jones (89), Asbury, Sommer, Redmon, Franklin, Fraker, Leach, Wyatt, Molendorp, Neth, Houghton, Lair, Grisamore, Frederick, Schoeller and Smith (150), relating to tax deductions for job creation by small businesses.

COMMITTEE CHANGE

February 6, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Lyndall Fraker and Representative Melissa Leach as members of the Utility Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

WITHDRAWAL OF HOUSE BILL

February 6, 2012

Mr. D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
Room 306 State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I request that **HB 1389**, relating to the No-Call List, be withdrawn. Thank you.

Sincerely,

/s/ Jeanne Kirkton
State Representative
District 91

The following members' presence was noted: Barnes, Hughes and Nolte.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 7, 2012.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Don Phillips, District 62, hereby state and affirm that my presence as recorded on Page 221 of the Journal of the House for Thursday, February 2, 2012, was not recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, and my absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of February, 2012.

/s/ Don Phillips
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of February in the year 2012.

/s/ Patricia G. Pleus
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 7, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1404

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 4.

DNR Budget presentation (continued).

Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 4.

Discussion of horse processing in Missouri.

Department of Conservation Budget presentation (continued).

Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - EDUCATION

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 1.

Analyst markup sheets.

APPROPRIATIONS - EDUCATION

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 1.

Analyst markup sheets, continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 7, 2012, 12:00 PM House Hearing Room 3.

Budget presentation.

Testifying officials and/or agencies: Governor (Chief of Staff); Treasurer; Secretary of State.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 8, 2012, Upon Adjournment of Budget Committee House Hearing Room 3.

Budget presentation.

Testifying officials and/or agencies: Auditor; Tax Commission; Lottery Commission; Department of Revenue.

NOTE: Due to scheduling conflicts, hearing will commence shortly after adjournment of the Budget hearing that day.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DMH, DHSS, and DSS program discussion followed by DSS budget overview.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DSS budget overview, continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 3.

Discuss Public Safety and Corrections estimated appropriations (Es) and flexibility.

AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Markup for Public Safety and Corrections.

CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 7, 2012, 8:00 AM House Hearing Room 3.

DED budget presentation (may require continuation in afternoon meeting).

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 7.

DED budget presentation continuation (if necessary).

BUDGET

Wednesday, February 8, 2012, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 1029, HB 1030, HB 2014

Executive session will be held: HB 2014

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1327, HB 1385, HB 1323, HB 1576, HB 1049

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, February 8, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1272

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 8, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1127, HB 1525

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 7, 2012, 5:00 PM House Hearing Room 7.

Work session - no public testimony.

ELECTIONS

Tuesday, February 7, 2012, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 1236, HB 1340, HB 1365

Executive session will be held: HB 1059, HB 1060, HB 1106, HB 1457, HJR 41, HB 1442

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1157, HB 1387

Executive session will be held: HB 1228

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, February 7, 2012, 5:00 PM House Hearing Room 1.

Executive session will be held: HJR 61, HB 1444

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 9, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

GENERAL LAWS

Tuesday, February 7, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1513, HB 1318, HB 1317

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 8, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1541

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1396, HB 1453, HB 1458

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 8, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1291

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, February 7, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Presentation from the Missouri Supreme Court & Judge Mary Russell.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 13, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1305, HB 1487

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1356, HB 1215

Executive session may be held on any matter referred to the committee.

TAX REFORM

Monday, February 13, 2012, 7:00 PM, 516 S Country Club, JC.

Presentation.

TOURISM AND NATURAL RESOURCES

Thursday, February 9, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1063, HB 1266, HJR 52

Executive session will be held: HJR 52

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 7, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: SS SCS SB 443, HB 1451, HB 1338, HB 1431, HB 1264, HB 1378

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, February 7, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1341, HB 1488

Executive session will be held: HB 1108

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 7, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1303, HB 1098, HCR 12, HB 1128, HB 1347, HB 1517

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 8, 2012, Upon Morning Adjournment South Gallery.

Executive session will be held: HB 1131

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

NINETEENTH DAY, TUESDAY, FEBRUARY 7, 2012

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

1 HB 2001 through HB 2013

2 HB 2019

HOUSE BILLS FOR SECOND READING

HB 1646 through HB 1661

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HB 1104 - Schoeller
- 2 HB 1219 - Elmer
- 3 HCS HB 1277 - Long
- 4 HCS HB 1186 & 1147 - Parkinson
- 5 HCS HB 1298 & 1180 - Parkinson
- 6 HCS HB 1311 - Silvey
- 7 HCS HB 1329 - Silvey

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

- 1 HB 1036 - Dugger
- 2 HB 1039 - Leara
- 3 HB 1099 - Fitzwater
- 4 HB 1100 - Fitzwater
- 5 HB 1105 - Day

(2/7/2012)

- 1 HB 1075 - Sater
- 2 HB 1093 - Elmer
- 3 HB 1141 - Gatschenberger
- 4 HB 1156 - Rowland
- 5 HB 1179 - Hampton
- 6 HB 1185 - Parkinson
- 7 HB 1250 - Ruzicka
- 8 HB 1251 - Ruzicka
- 9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 3, (1-31-12, Page 194) - Scharnhorst

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (2/2/12, Page 217) - Loehner

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

NINETEENTH DAY, TUESDAY, FEBRUARY 7, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed is everyone that feareth the Lord; that walketh in His ways. (Psalm 128:1)

O God, Who is the Creator and the Sustainer of all peoples, without Whose benediction all our labor is in vain and with Whose blessing we walk the way to life and light - we pause before You this quiet moment seeking strength, peace and guidance from You.

Strengthen us when we are weak. May the peace of Your presence still the turmoil in our hearts, and when we would stumble on the way make straight our paths before us and give us courage to walk with You forever.

For our loved ones, for our districts and for our whole state we pray. Together may we be led from stress to peace, from fear to faith, from ill will to good will, from the depths of shallow living to the heights of a noble and sincere devotion.

We recall our Missouri history today when two hundred years ago, the New Madrid area was devastated by an earthquake. We pray that God will protect us from all earthquakes and other natural disasters in the future.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as printed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall

McCann Beatty	McGeoghegan	McGhee	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 027

Aull	Barnes	Berry	Carlson	Carter
Denison	Flanigan	Franz	Frederick	Funderburk
Hodges	Holsman	Hoskins	Hughes	Kelly 24
Lair	May	McCaherty	McCreery	McDonald
McManus	Meadows	Parkinson	Quinn	Silvey
Stream	Webb			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 557 through House Resolution No. 576

HOUSE CONCURRENT RESOLUTIONS

Representative Hampton, et al., offered House Concurrent Resolution No. 30.

Representative Schieffer, et al., offered House Concurrent Resolution No. 31.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 2001 through **HB 2013** were read the second time.

HB 2019 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1646 through **HB 1661** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1104, relating to voter identification requirements, was taken up by Representative Schoeller.

Representative Leara assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Carter	Frederick	McCaherty	Meadows	Webb
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On motion of Representative Schoeller, **HB 1104** was ordered perfected and printed by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Carter	Frederick	McCaherty	Meadows	Webb
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HCS HB 1277, relating to highway infrastructure improvements, was taken up by Representative Long.

Representative Long moved that **HCS HB 1277** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Berry	Brandom	Burlison	Cookson	Crawford
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Gatschenberger	Gosen	Hampton	Hoskins
Hough	Jones 89	Jones 117	Keeney	Kelley 126
Lant	Leara	Long	McDonald	McNary
Pollock	Redmon	Richardson	Rowland	Ruzicka
Sater	Scharnhorst	Thomson	Torpey	Weter
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 110

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brattin
Brown 50	Brown 85	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cox	Cross	Curtman	Davis	Ellinger
Ellington	Entlicher	Franklin	Franz	Fuhr
Funderburk	Guernsey	Haefner	Harris	Higdon
Hinson	Hodges	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Marshall	May	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Reiboldt
Riddle	Rizzo	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Wallingford
Walton Gray	Webber	Wells	White	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Frederick	Grisamore	Holsman	Kander
McCaherty	Meadows	Nolte	Webb	

On motion of Representative Long, **HB 1277** was ordered perfected and printed.

HB 1219, relating to discriminatory employment, was taken up by Representative Elmer.

Representative Elmer offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Bill No. 1219, Section 213.010, Page 1, Line 10, by inserting after the phrase: “**motivating factor**” on said line the following:

“**except with regard to claims of adverse impact discrimination as defined in this section**”; and

Further amend said section, Page 2, Line 31, by inserting after the word: “housing” on said line the following:

“**or decisions or actions that have an adverse impact on the aforementioned protected criterion. In the case of decisions or actions that have an adverse impact, courts shall rely heavily upon judicial interpretations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et. seq., as amended; the Age Discrimination Employment Act of 1967, 29 U.S.C. 621, et. seq., as amended; and the Americans With Disabilities Act, 42 U.S.C. 12101, et. seq., as amended**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Bill No. 1219, Page 1, Section 213.010, Line 10, by inserting at the end of said line, after the word “**factor**”, the following:

“**unless the decision or action has an adverse impact on the protected criterion. In which case, courts shall rely heavily upon judicial interpretations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et. seq., as amended; the Age Discrimination Employment Act of 1967, 29 U.S.C. 621, et. seq., as amended; and the Americans With Disabilities Act, 42 U.S.C. 12101, et. seq., as amended**”; and

Further amend said bill, Pages 4-5, Section 213.101, Lines 1-23, by deleting all of said lines; and

Further amend said bill, Page 5, Section 213.111, Line 27, by inserting an opening bracket (“[”) immediately after the words “other order”; and

Further amend said section and page, Line 31, by inserting a closing bracket (“]”) immediately after the word “foundation”; and

Further amend said section and page, Line 32, by deleting all of said line and inserting in lieu thereof the following:

“**4. The court may award to the plaintiff actual and punitive damages and may award court costs and reasonable attorney fees to the prevailing party, other than a state agency or commission or a local commission; except that, a prevailing respondent may be awarded court costs and reasonable attorney fees upon a showing that a case is without foundation. An award of damages may include all future pecuniary losses, emotional pain,**”; and

Further amend said bill, Page 6, Section 213.111, Line 41, by inserting the word “**one**” after the word “**hundred**”; and

Further amend said section and page, Line 44, by inserting the word “**one**” after the word “**hundred**”; and

Further amend said section and page, Line 47, by inserting the word “**one**” after the word “**hundred**”; and

Further amend said section and page, Line 57, by inserting the following after all of said line:

“8. Subsections 4, 5, and 6 of this section shall not apply when there is an alleged violation of sections 213.040, 213.045, or 213.050. Subsections 4, 5, and 6 of this section shall apply when there is an alleged violation of section 213.070 against an employer, but not otherwise.”; and

Further amend said bill, Page 7, Line 16, by deleting “**who reports to an employer**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Curtman	Day	Dugger	Frederick
Kander	McCaherty	Meadows	Neth	Webb

On motion of Representative Cox, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Conway 14	Day	Frederick	Kander
McCaherty	Meadows	Nolte	Webb	

On motion of Representative Elmer, **HB 1219, as amended**, was ordered perfected and printed by the following vote:

AYES: 084

Allen	Bernskoetter	Brandom	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	Long	McGhee
McNary	Molendorp	Nance	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schneider	Schoeller	Shumake	Smith 150	Sommer
Stream	Thomson	Wallingford	Wells	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 070

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Berry	Black	Brattin	Brown 50
Carlson	Casey	Colona	Conway 27	Cookson
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Leach	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Walton Gray	Webber	Weter	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Day	Frederick	Grisamore	McCaherty
Meadows	Nolte	Sater	Webb	

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1035 - Ways and Means
HB 1096 - Local Government
HB 1110 - Veterans
HB 1111 - General Laws
HB 1124 - Insurance Policy
HB 1136 - Corrections
HB 1142 - Crime Prevention and Public Safety
HB 1149 - Transportation
HB 1152 - Children and Families
HB 1175 - Corrections
HB 1181 - General Laws
HB 1196 - Crime Prevention and Public Safety
HB 1197 - Tax Reform
HB 1203 - Corrections
HB 1217 - Elementary and Secondary Education
HB 1261 - Transportation
HB 1263 - Elections
HB 1289 - Utilities
HB 1296 - Veterans
HB 1297 - Professional Registration and Licensing
HB 1313 - Local Government
HB 1328 - Judiciary
HB 1354 - Crime Prevention and Public Safety
HB 1363 - Agriculture Policy
HB 1364 - Agriculture Policy
HB 1377 - Judiciary
HB 1386 - Elementary and Secondary Education
HB 1391 - Judiciary
HB 1417 - Insurance Policy
HB 1420 - Crime Prevention and Public Safety
HB 1427 - Ways and Means
HB 1449 - International Trade and Job Creation
HB 1463 - General Laws
HB 1468 - Crime Prevention and Public Safety
HB 1474 - Corrections
HB 1502 - Higher Education
HB 1531 - Health Care Policy
HB 1593 - Economic Development
HB 1613 - Transportation Funding and Public Institutions
HB 1659 - International Trade and Job Creation

COMMITTEE REPORTS

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1442**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1103**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1308**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1349**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1112**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SCS SB 443**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 12

WHEREAS, while war deaths have been a part of our heritage since the birth of this nation, the United States has not instituted an official symbol commemorating fallen servicepersons; and

WHEREAS, H.R. 1034 was introduced in the 111th Congress designating the Honor and Remember Flag, created by Honor and Remember, Inc., as an official recognition and in honor of fallen members of the United States Armed Forces; and

WHEREAS, the Honor and Remember Flag's red field represents the brave men and women who sacrificed their lives for freedom. The flag's blue star is a symbol of active service in military conflict that dates back to World War I. The flag's white border recognizes the purity of sacrifice. The flag's gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given. The folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, the Honor and Remember Flag is a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen servicepersons throughout history and the families and communities who mourn their loss:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty and urges the United States Congress to enact a similar resolution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Veterans Commission and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1128**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1347**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1517**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1198**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1036, HB 1039, HB 1099, HB 1100 and HB 1105.**

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 74, introduced by Representatives Koenig, Brattin, Davis, White, Lasater, Lichtenegger, Bahr, Fisher, Burlison and Higdon, relating to taxation.

HJR 75, introduced by Representatives Neth, Fitzwater, Lant, Kelley (126), Lair and Torpey, relating to suffrage and elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1662, introduced by Representative Weter, relating to county drinking water supply lake authorities.

HB 1663, introduced by Representatives Kirkton, Sater, Weter, Pace, McNeil, Grisamore and McGhee, relating to physical and chemical restraints for patients in mental health facilities.

HB 1664, introduced by Representative Pollock, relating to adverse possession.

HB 1665, introduced by Representatives Jones (63), Oxford, McDonald, Kirkton, Phillips, Hodges, Colona, Hummel, Cross, Fitzwater, Barnes, Fraker, McGeoghegan, McCann Beatty, Taylor, Carter, Schatz, Cauthorn, Brown (85), Frederick, Kelley (126), Houghton, Redmon, Brown (50), Torpey, Kelly (24), Anders, Atkins, Pace, Ellington, Schieffer, Hughes, Cookson, Nasheed, Hubbard, Franklin, Berry, Entlicher, White, Shumake, Fisher, Cox, Webb, Wells, Wieland, Wright, Elmer, Hinson, Casey and Kratky, relating to the designation of lupus awareness month.

HB 1666, introduced by Representatives Jones (63), Oxford, McDonald, Kirkton, Phillips, Hodges, Colona, Hummel, Barnes, McGeoghegan, McCann Beatty, Taylor, Cauthorn, McCaherty, Brown (85), Kelley (126), Redmon, Brown (50), Torpey, Kelly (24), Anders, Atkins, Pace, Schieffer, Hughes, Weter, Nasheed, Hubbard, Entlicher, Shumake, Fisher, Carter, Webb, Wells, Wieland, Wright, Elmer, Casey and Kratky, relating to designation of tax refunds to the lupus revolving research trust fund.

HB 1667, introduced by Representatives Hough, Elmer, Leach, Schoeller, Fraker, Lampe, Long and Denison, relating to a surcharge on civil court cases.

HB 1668, introduced by Representatives Denison, Hough, Hinson, Long, Weter, Phillips, Schoeller, Lant, Lampe, Fallert and Leach, relating to United States Olympic Committee special license plates.

HB 1669, introduced by Representatives Day, Lasater, Davis and Higdon, relating to temporary motorcycle instruction permits.

HB 1670, introduced by Representatives Day, Burlison, Lasater, Davis, Bahr, Higdon and Franz, relating to protective headgear for operation of motorcycles and motortricycles.

HB 1671, introduced by Representative Stream, relating to political subdivision contracts for water storage tanks.

HB 1672, introduced by Representatives Fuhr, Conway (14), Schad, Hinson, Phillips, Higdon, Brown (85), Haefner, Jones (89), Bahr, Kelly (24), Colona, Riddle, Barnes, McGeoghegan, Ellinger and Meadows, relating to audit of federal seizure proceeds.

HB 1673, introduced by Representatives Ellinger, Schupp, Pace, McDonald, Pierson, Carlson, Smith (71), Ellington, Kirkton, Hummel, Colona, McNeil, Newman, Morgan, Meadows, Oxford and Swearingen, relating to cigarette taxes.

HB 1674, introduced by Representatives Scharnhorst, Tilley, Cox, Jones (89) and Diehl, relating to confidentiality of department of revenue records.

HB 1675, introduced by Representatives Ruzicka, Lasater, Phillips and Higdon, relating to charges in criminal cases for law enforcement services.

HB 1676, introduced by Representatives Nichols, McNary, Harris, Ellinger and Torpey, relating to homeowner and community improvement associations.

HB 1677, introduced by Representatives Ellinger, Morgan, McCreery and Swearingen, relating to petitions to expunge certain criminal records.

HB 1678, introduced by Representatives Long, Bahr, McDonald, Kelley (126), Koenig, Burlison, Shumake, Curtman, Pollock, Hough, Oxford, Hodges, Zerr, Funderburk, McGhee, Franz, Dugger, Schad, Leach, Korman, Hughes, Swearingen, Redmon, Brown (50), Cauthorn, McNary, Wieland, Lasater, Smith (150), Schoeller, McCaherty, Fitzwater, Lant, Cookson, Fisher, Reiboldt, Jones (89), Fraker, Kirkton, Davis, Jones (63) and Richardson, relating to midwifery.

HB 1679, introduced by Representative Franz, relating to sales and use tax collection.

COMMUNICATION

February 7, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of possible interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am part owner of a business entity involved in the establishment and implementation of point of sales collection of sales and use taxes.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Respectfully yours,

/s/ Vicki A. Schneider
District 17

The following member's presence was noted: McCaherty.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 8, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 9, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.
Discussion of hiring legislative assistants with incoming years of state service.
CANCELLED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 4.
Discussion of horse processing in Missouri.
Department of Conservation Budget presentation (continued).
Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - EDUCATION

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 1.
Analyst markup sheets, continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 8, 2012, Upon Adjournment of Budget Committee House Hearing Room 3.
Budget presentation.

Testifying officials and/or agencies: Auditor; Tax Commission; Lottery Commission; Department of Revenue.

NOTE: Due to scheduling conflicts, hearing will commence shortly after adjournment of the Budget hearing that day.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DSS budget overview, continued.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 9, 2012, 10:00 AM

Tour of the Fulton State Hospital. Transportation will be provided to committee members from the Capitol to location. Please meet at the guard shack upon adjournment for departure.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.

Discuss budget, possible amendments to be offered when bills are received and markup for upcoming budget bills for Departments of Public Safety and Department of Corrections

CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Markup for Public Safety and Corrections.

CANCELLED

BUDGET

Wednesday, February 8, 2012, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 1029, HB 1030, HB 2014

Executive session will be held: HB 2014

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1327, HB 1385, HB 1323, HB 1576, HB 1049

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, February 8, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1272

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 8, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1127, HB 1525

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1157, HB 1387

Executive session will be held: HB 1228

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 8, 2012, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 1153, HB 1400, HCR 9

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 9, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Wednesday, February 8, 2012, 3 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 8, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1541

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 13, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1495, HB 1074, HB 1144

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 8, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1116, HB 1659

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 8, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1473, HB 1527, HB 1288, HB 1384, HB 1512

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1396, HB 1453, HB 1458

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 8, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1291

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 13, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1305, HB 1487

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1356, HB 1215

Executive session may be held on any matter referred to the committee.

TAX REFORM

Monday, February 13, 2012, 7:00 PM, 516 S Country Club, Jefferson City.
Presentation

TOURISM AND NATURAL RESOURCES

Thursday, February 9, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1063, HB 1266, HJR 52

Executive session will be held: HJR 52

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 9, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HCR 8, HB 1182, HB 1381

Executive session will be held: HCR 8

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 8, 2012, Upon Morning Adjournment South Gallery.

Executive session will be held: HB 1131

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTIETH DAY, WEDNESDAY, FEBRUARY 8, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 74 and HJR 75

HOUSE BILLS FOR SECOND READING

HB 1662 through HB 1679

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1186 & 1147 - Parkinson
- 2 HCS HB 1298 & 1180 - Parkinson
- 3 HCS HB 1311 - Silvey
- 4 HCS HB 1329 - Silvey

HOUSE BILLS FOR PERFECTION - CONSENT

(2/7/2012)

- 1 HB 1075 - Sater
- 2 HB 1093 - Elmer
- 3 HB 1141 - Gatschenberger
- 4 HB 1156 - Rowland
- 5 HB 1179 - Hampton
- 6 HB 1185 - Parkinson
- 7 HB 1250 - Ruzicka
- 8 HB 1251 - Ruzicka
- 9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 3, (1/31/12, Page 194) - Scharnhorst

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1036 - Dugger
- 2 HB 1039 - Leara
- 3 HB 1099 - Fitzwater
- 4 HB 1100 - Fitzwater
- 5 HB 1105 - Day

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (2/2/12, Page 217) - Loehner

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, FEBRUARY 8, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord will give strength unto His people; the Lord will bless His people with peace. (Psalm 29:11)

Our God, grant us Your peace as we begin this wintery day - give us peace in our own hearts, peace in our homes, peace in our districts and in our state. Grant to us, and all who meet with us, the sense of Your presence and the power of Your spirit. Out of these endeavors may there come a greater peace to our world and an increasing desire and determination to live together in greater harmony and finer accord.

May we meet the pressures of this present period with courage and faith through the presence of Your spirit living in our hearts.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Lincoln Kaderly.

The Journal of the nineteenth day was approved as printed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary

McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Conway 27	Flanigan	Frederick	Jones 117
Kirkton	Koenig	Lasater	McCreery	McDonald
Newman	Oxford	Weter		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 577 through House Resolution No. 584

HOUSE CONCURRENT RESOLUTION

Representative Cookson, et al., offered House Concurrent Resolution No. 32.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 74 and **HJR 75** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1662 through **HB 1679** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1311, relating to data storage centers, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1311** was adopted.

On motion of Representative Silvey, **HCS HB 1311** was ordered perfected and printed.

HCS HB 1329, relating to motor vehicle registration, was taken up by Representative Silvey.

Representative Wright offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1329, Page 6, Section 301.559, Line 55, by inserting after said line the following:

“301.3087. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual payment of an emblem-use authorization fee to the Missouri State Humane Association. The Missouri State Humane Association hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. All emblem-use authorization fees, except reasonable administrative costs, shall be placed into a special fund as described in subsection 4 of this section and shall be used exclusively for the purpose of spaying and neutering dogs and cats in the state of Missouri.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Missouri State Humane Association, the Missouri State Humane Association shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. **Application for the use of the logo and payment of the twenty-five dollar contribution may also be made at the time of registration to the director, who shall deposit such contribution in the state treasury to the credit of the Missouri pet spay-neuter fund.** Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized license plate which shall bear the emblem of the Missouri State Humane Association and shall have the words "I'M PET FRIENDLY" on the license plates in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with the Missouri State Humane Association emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri State Humane Association emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

4. The "Missouri Pet Spay/Neuter Fund" is hereby created as a special fund in the state treasury and shall be administered by the department of agriculture. This fund shall consist of moneys collected pursuant to this section. All moneys deposited in the Missouri pet spay/neuter fund, except reasonable administrative costs, shall be paid as grants to humane societies, local municipal animal shelters regulated by sections 273.400 to 273.405, and organizations exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code to be used solely for the spaying and neutering of dogs and cats in the state of Missouri. For purposes of approving grants under this section, the governor shall appoint a volunteer board that shall consist of three Missouri residents, of which two shall be administrators of local municipal animal shelters regulated by sections 273.400 to 273.405 and one shall be an administrator of a humane society. Each of the three members shall be from separate congressional districts. Members of this board shall be appointed for three-year terms and shall meet at least twice a year to review grant applications. All moneys deposited in the Missouri pet spay/neuter fund, except reasonable administrative costs, shall be spent by the end of each fiscal year. Notwithstanding the provisions of section 33.080 to the contrary, if any moneys remain in the fund at the end of the biennium, said moneys shall not revert to the credit of the general revenue fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 005

Frederick	Holsman	Jones 117	Kelly 24	Weter
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On motion of Representative Silvey, **HCS HB 1329, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 1329, as amended**, was ordered perfected and printed.

Speaker Pro Tem Schoeller assumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1036, relating to political party emblems, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1036** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Hughes

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 006

Frederick	Hough	Kelly 24	Nolte	Reiboldt
Weter				

Speaker Pro Tem Schoeller declared the bill passed.

HB 1039, relating to local government employee retirement, was taken up by Representative Leara.

On motion of Representative Leara, **HB 1039** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Frederick	Hough	Kelly 24	Redmon	Weter
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Speaker Pro Tem Schoeller declared the bill passed.

HB 1099, relating to Operation Enduring Freedom Day, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HB 1099** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Frederick	Hough	Jones 117	Kelly 24	Shumake
Weter				

Speaker Pro Tem Schoeller declared the bill passed.

HB 1100, relating to Vietnam Veterans Day, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HB 1100** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Dieckhaus	Flanigan	Frederick	Funderburk	Hough
Kelly 24	Nolte	Shumake	Weter	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

HB 1105, relating to the state militia age requirement, was taken up by Representative Day.

On motion of Representative Day, **HB 1105** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Flanigan	Frederick	Funderburk	Jones 117	Kelley 126
Kelly 24	Redmon	Weter	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 22** - Veterans
- HCR 27** - Elementary and Secondary Education
- HCR 30** - Agri-Business

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

- HB 2001** - Budget
- HB 2002** - Budget
- HB 2003** - Budget
- HB 2004** - Budget
- HB 2005** - Budget
- HB 2006** - Budget
- HB 2007** - Budget
- HB 2008** - Budget
- HB 2009** - Budget
- HB 2010** - Budget
- HB 2011** - Budget
- HB 2012** - Budget
- HB 2013** - Budget
- HB 2019** - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1104** - Fiscal Review
- HCS HB 1311** - Fiscal Review
- HB 1044** - General Laws
- HB 1050** - Health Insurance
- HB 1069** - Economic Development
- HB 1072** - Health Care Policy
- HB 1079** - Children and Families
- HB 1081** - Health Insurance
- HB 1085** - Veterans
- HB 1126** - Transportation
- HB 1168** - Corrections
- HB 1170** - General Laws
- HB 1172** - Children and Families
- HB 1218** - Ways and Means
- HB 1222** - Budget
- HB 1232** - Crime Prevention and Public Safety

HB 1238 - Children and Families
HB 1267 - Children and Families
HB 1283 - Health Care Policy
HB 1301 - Veterans
HB 1307 - Local Government
HB 1315 - General Laws
HB 1368 - Crime Prevention and Public Safety
HB 1388 - Elementary and Secondary Education
HB 1407 - Health Care Policy
HB 1432 - Crime Prevention and Public Safety
HB 1445 - Children and Families
HB 1447 - Crime Prevention and Public Safety
HB 1462 - Agriculture Policy
HB 1465 - Elementary and Secondary Education
HB 1484 - Transportation Funding and Public Institutions
HB 1489 - Ways and Means
HB 1490 - Health Care Policy
HB 1492 - Local Government
HB 1494 - Local Government
HB 1503 - Crime Prevention and Public Safety
HB 1523 - Local Government
HB 1546 - Health Insurance
HB 1550 - Children and Families
HB 1562 - Local Government
HB 1566 - Insurance Policy
HB 1574 - Veterans
HB 1577 - Children and Families
HB 1578 - Children and Families
HB 1608 - Downsizing State Government
HB 1611 - Judiciary
HB 1619 - Professional Registration and Licensing
HB 1628 - Special Standing Committee on Government Oversight and Accountability
HB 1629 - Elementary and Secondary Education
HB 1630 - Transportation Funding and Public Institutions
HB 1638 - General Laws
HB 1640 - Transportation
HB 1644 - General Laws
HB 1647 - Crime Prevention and Public Safety
HB 1658 - Insurance Policy
HB 1660 - Agriculture Policy
HB 1672 - Crime Prevention and Public Safety

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 33, introduced by Representative Bernskoetter, relating to the Joint Interim Committee on State Employee Wages.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 76, introduced by Representative Wyatt, relating to property tax exemption for veterans.

HJR 77, introduced by Representatives Funderburk, Tilley, Dieckhaus, Cross, Bahr, Lair, Berry, Higdon, Leara, Guernsey, Conway (14), Parkinson, Gatschenberger and Scharnhorst, relating to judicial elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1680, introduced by Representatives Davis, Day, Brattin, Kelley (126) and Solon, relating to the Show-Me heroes program.

HB 1681, introduced by Representative Neth, relating to assault on a police animal.

HB 1682, introduced by Representatives Wyatt, Curtman, Conway (14), Guernsey and Burlison, relating to state contracts and funds.

HB 1683, introduced by Representatives Brattin, Davis, Riddle, Dugger, Cox, Brown (116), Leach, Crawford, Zerr, Allen, Curtman, Sommer, Cookson, Burlison, Funderburk, Lant, Keeney, Flanigan, Gosen, Franz, Grisamore, Hoskins, White, Bahr, Solon, Wieland, Jones (89), Schoeller, Fuhr, Fallert, Asbury, Kelley (126), Ruzicka, Largent, Day, Schieffer, Harris, McGhee, Pollock, Shively, Hodges, Hinson, Houghton, Lasater, Fraker, Torpey, Tilley, Richardson, Diehl, Denison, Wells, Jones (117) and Smith (150), relating to emergency dispatch operator training.

HB 1684, introduced by Representatives Fallert, Denison, Casey, Meadows, Lant, Oxford, McDonald, Conway (27) and Black, relating to the renewal of disabled license plates and placards.

HB 1685, introduced by Representatives Fallert, Atkins, Hummel, Taylor, Schieffer, Smith (71), May, Spreng and Meadows, relating to state purchasing.

HB 1686, introduced by Representatives Talboy, Newman, Jones (63), Montecillo, Colona, McCreery, Kirkton, Holsman, Rizzo, McCann Beatty, McDonald, Ellinger, Schupp, Carter, Oxford, McManus, Hummel and Webb, relating to Blair's law.

HB 1687, introduced by Representatives Schieffer, Denison, Meadows, Fallert, Webber, Ruzicka, Long, Quinn, Pollock, Molendorp, Kelley (126), Leach, Loehner, Spreng, Conway (27), McGeoghegan, Lasater, Bahr, Wyatt, Lichtenegger, Bernskoetter, Wieland, Zerr and Jones (89), relating to the designation of a memorial highway.

HB 1688, introduced by Representatives Guernsey, Conway (14), Houghton, Redmon, Dugger and Klippenstein, relating to the financial responsibility for damage caused by reintroduced wildlife.

HB 1689, introduced by Representative Sommer, relating to the crime of abuse of a child.

HB 1690, introduced by Representatives May, Wyatt, Carter, Morgan, Walton Gray, Ellinger, Pierson, Webb, Conway (14), Anders, Oxford, McGeoghegan, Smith (71), Talboy and Hubbard, relating to criminal nonsupport.

HB 1691, introduced by Representative Dugger, relating to salvage dealers.

HB 1692, introduced by Representatives Entlicher, Dugger, Conway (27) and Diehl, relating to the oath of an election judge.

HB 1693, introduced by Representatives Zerr, Jones (89), Allen, Funderburk, Leara, Schneider, McNary, Jones (117), Brown (85), Casey, Colona, Hummel, Stream, Bahr, Gatschenberger, Haefner, Meadows, Carter, Fallert, Oxford, Fuhr, Conway (14), Sommer and Scharnhorst, relating to tax increment financing in certain counties.

HB 1694, introduced by Representatives Jones (63), Newman, Pace, Nichols, McCreery, Black, McCann Beatty, Oxford, McGeoghegan, Torpey, Riddle, Solon, Entlicher, Crawford, Franklin, Leach, Sommer, Schieffer and Meadows, relating to breast cancer awareness funding.

HB 1695, introduced by Representative Cookson, relating to department of revenue fee office contracts.

HB 1696, introduced by Representative Cookson, relating to concealed carry endorsements.

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2014**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 41**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was returned **HB 1059**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1106**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1457**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1188**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1107**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1131**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

COMMUNICATION

February 8, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

As an agent for Farmers Insurance, sole owner of Chris Molendorp Insurance Agency Inc., I sell and service multiple lines of the insurance. My wife, Julie Molendorp owns Molendorp Appraisals, Inc. a company which provides residential and commercial appraising services for contract vendors. Responsibilities of this company require us to work in the property valuation/real estate industry.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Best regards,

/s/ Chris Molendorp
District 123

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 9, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 9, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.
Discussion of hiring legislative assistants with incoming years of state service.
CANCELLED

AGRICULTURE POLICY

Tuesday, February 14, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1073, HB 1194
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 9, 2012, 10:00 AM
Tour of the Fulton State Hospital. Transportation will be provided to committee members from the Capitol to location. Please meet at the guard shack upon adjournment for departure.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 14, 2012, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup on budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Markup on budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 14, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup for House Bill 2007
CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 2007.

CORRECTED

FISCAL REVIEW

Thursday, February 9, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

INSURANCE POLICY

Monday, February 13, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1495, HB 1074, HB 1144

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 13, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1305, HB 1487

Executive session may be held on any matter referred to the committee.

TAX REFORM

Monday, February 13, 2012, 7:00 PM 516 S Country Club, JC.

Presentation.

TOURISM AND NATURAL RESOURCES

Thursday, February 9, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1063, HB 1266, HJR 52

Executive session will be held: HJR 52

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 9, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HCR 8, HB 1182, HB 1381

Executive session will be held: HCR 8

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 13, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1441, HB 1403, HB 1540

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 9, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 33

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 76 and HJR 77

HOUSE BILLS FOR SECOND READING

HB 1680 through HB 1696

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1186 & 1147 - Parkinson
- 2 HCS HB 1298 & 1180 - Parkinson

HOUSE BILLS FOR PERFECTION - CONSENT

(2/7/2012)

- 1 HB 1075 - Sater
- 2 HB 1093 - Elmer
- 3 HB 1141 - Gatschenberger
- 4 HB 1156 - Rowland
- 5 HB 1179 - Hampton
- 6 HB 1185 - Parkinson
- 7 HB 1250 - Ruzicka
- 8 HB 1251 - Ruzicka
- 9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 3, (1/31/12, Page 194) - Scharnhorst

HOUSE BILLS FOR THIRD READING

- 1 HB 1104, (Fiscal Review, 2/8/12) - Schoeller
- 2 HB 1277 - Long
- 3 HB 1219 - Elmer
- 4 HCS HB 1311, (Fiscal Review, 2/8/12) - Silvey
- 5 HCS HB 1329 - Silvey

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (2/2/12, Page 217) - Loehner

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 9, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My presence shall go with Thee. (Exodus 33:14)

Almighty God, Who is from everlasting to everlasting, Whose truth endures forever and Whose love never fails, we pause before You this solemn moment as we begin another day in the history of our beloved state and in the story of our lives together as the leaders of this great House of Representatives.

Awaken within us the realization that You have a purpose for each one of us, that You are the supporter of our own human spirits. May Your presence strengthen us, Your spirit guide us and Your wisdom make us wise. Bless our Speaker and our Representatives, together may they strive for peace and for the well-being of the people of Missouri.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twentieth day was approved as corrected.

HOUSE RESOLUTION

Representative Haefner, et al., offered House Resolution No. 639.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 585 through House Resolution No. 638

House Resolution No. 640 through House Resolution No. 649

HOUSE CONCURRENT RESOLUTIONS

Representative Bahr, et al., offered House Concurrent Resolution No. 34.

Representative McNeil, et al., offered House Concurrent Resolution No. 35.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 33 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 76 and **HJR 77** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1680 through **HB 1696** were read the second time.

Representative Hoskins assumed the Chair.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1311**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 1311, relating to data storage centers, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1311** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo

Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Bahr	Brattin	Leach	Marshall	Oxford
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PRESENT: 001

Ellington

ABSENT WITH LEAVE: 008

Brown 85	Flanigan	Hubbard	Hughes	Kelly 24
Largent	Nolte	Weter		

Representative Hoskins declared the bill passed.

HCS HB 1329, relating to motor vehicle registration, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1329** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller

Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Hughes

PRESENT: 002

Ellington Johnson

ABSENT WITH LEAVE: 006

Franklin	Hubbard	Kelly 24	Largent	Nolte
Weter				

Representative Hoskins declared the bill passed.

HB 1219, relating to discriminatory employment practices, was taken up by Representative Elmer.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr		

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 005

Hubbard	Kelly 24	Largent	Weter	Mr Speaker
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On motion of Representative Elmer, **HB 1219** was read the third time and passed by the following vote:

AYES: 089

Allen	Bahr	Bernskoetter	Brandom	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McNary	Molendorp	Nance	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Smith 150
Sommer	Stream	Thomson	Wallingford	Wells
White	Wieland	Wright	Zerr	

NOES: 068

Anders	Asbury	Atkins	Aull	Barnes
Berry	Black	Brattin	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Silvey

Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray
Webb	Webber	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 006

Hubbard	Kelly 24	Largent	Nolte	Weter
Mr Speaker				

Representative Hoskins declared the bill passed.

HB 1104, relating to voter identification requirements, was taken up by Representative Schoeller.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo

Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Day	Franklin	Hubbard	Kelly 24	Lampe
Largent	Nolte	Weter	Mr Speaker	

On motion of Representative Schoeller, **HB 1104** was read the third time and passed by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr				

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Hubbard	Kelly 24	Lampe	Largent
Nolte	Weter	Mr Speaker		

Representative Hoskins declared the bill passed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 77 - Special Standing Committee on Judicial Reform

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1158 - Health Insurance
HB 1333 - Health Insurance
HB 1436 - Special Standing Committee on Disability Services
HB 1455 - Economic Development
HB 1529 - Health Care Policy
HB 1637 - Ways and Means
HB 1661 - Small Business
HB 1675 - Judiciary

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1172 - Special Standing Committee on Disability Services

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1324**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Corrections, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 1272**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1174**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Animal Agriculture, Chairman Wright reporting:

Mr. Speaker: Your Committee on Emerging Issues in Animal Agriculture, to which was referred **HJR 61**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1051**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1169**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1513**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1123**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 1339**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1042**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1193**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1191**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1220**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 8

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

WHEREAS, Section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year the State Tax Commission is required under Section 137.021, RSMo, to promulgate by regulation a value for each grade of agricultural and horticultural land based on productive capability; and

WHEREAS, the State Tax Commission, in accordance with Section 137.021, RSMo, did on December 23, 2011, propose a value for each of the eight grades of agricultural and horticultural land for the 2013 and 2014 assessment years, with changes to grades 1 through 4; and

WHEREAS, the members of the General Assembly believe that the proposed agricultural and horticultural land values are excessive; and

WHEREAS, Section 137.021, RSMo, permits the General Assembly to disapprove within the first sixty days of the next Regular Session of the General Assembly the agricultural and horticultural values as proposed by the State Tax Commission:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby disapprove the State Tax Commission's proposed state regulation to be promulgated under Section 137.021, RSMo, establishing agricultural land values for the 2013 and 2014 assessment years; and

BE IT FURTHER RESOLVED that the General Assembly recommends that the State Tax Commission review the current procedure for determining and establishing agricultural land values; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Missouri State Tax Commission.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 78, introduced by Representatives Schad, Day, Houghton, Conway (14), Loehner, Marshall, Cox, Jones (117), Scharnhorst, Barnes, Hinson, Fitzwater, Brattin and Shumake, relating to meetings of apportionment commissions.

HJR 79, introduced by Representatives Schieffer and Conway (27), relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1697, introduced by Representative Sommer, relating to the designation of animal rescue week.

HB 1698, introduced by Representatives Redmon, Higdon, Fuhr, Klippenstein, Houghton, Phillips, Shively, Quinn, Ellinger, Hampton, Entlicher, Fraker, Burlison, Keeney and Cauthorn, relating to obstruction of justice.

HB 1699, introduced by Representative Schad, relating to failure to report illegal conduct regarding prescription medications.

HB 1700, introduced by Representatives Schad and Tilley, relating to sex offender registration and classification.

HB 1701, introduced by Representative Gatschenberger, relating to the use of a special road and bridge tax in certain counties.

HB 1702, introduced by Representatives Fuhr, Korman, Schatz, Wieland, Hinson, Haefner, Berry, McGeoghegan, Ellinger, Ellington and Brown (85), relating to public works contracts.

HB 1703, introduced by Representatives Higdon and Conway (27), relating to fines for violations of county ordinances.

HB 1704, introduced by Representatives Kirkton, Pace, Oxford and Newman, relating to insurance coverage for hearing screenings and hearing aid devices.

HB 1705, introduced by Representatives Kirkton, Oxford, Jones (63), McCreery, Schupp, Molendorp and Long, relating to telephone calls.

HB 1706, introduced by Representatives McGhee, Colona, Spreng, Atkins, Fallert, McDonald, Funderburk, Meadows, Schad, Wieland and McCaherty, relating to the transportation of railroad employees.

HB 1707, introduced by Representative Jones (117), relating to driver's license qualifications.

HB 1708, introduced by Representatives Bahr, Jones (89), Koenig, Curtman and Sommer, relating to the Common Core Standards Initiative.

HB 1709, introduced by Representatives Hough, Talboy, Kratky, Long, Smith (71), Brown (50), Rizzo, Fraker, Swearingen, Haefner, Webber, Brandom, Brown (116), McManus, McGeoghegan, Hinson, Scharnhorst, Richardson, Torpey and Sifton, relating to tax incentives for business development.

HB 1710, introduced by Representatives Hough, Zerr, Brown (50), Smith (71), Swearingen, Rizzo, Talboy, Fraker, Haefner, Webber, Brandom, Brown (116), McManus, Long, McGeoghegan, Hinson, Scharnhorst, Richardson, Torpey, Sifton and Kratky, relating to job training programs.

HB 1711, introduced by Representatives McNeil, Kirkton, Spreng, Pace, Talboy, Atkins, Jones (63), Morgan, Still, Lampe, Carter, McCreery, Oxford, Anders and Newman, relating to health insurance premium rate reviews.

HB 1712, introduced by Representative Grisamore, relating to a telephone tracking system for in-home services providers.

HB 1713, introduced by Representative Grisamore, relating to MO HealthNet benefits.

HB 1714, introduced by Representative Grisamore, relating to comprehensive day rehabilitation services under the MO HealthNet program.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 564**, entitled:

An act to repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to the waiver of the motorcycle roads skills test for members of the armed forces who have successfully completed certain military motorcycle rider training courses.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 592**, entitled:

An act to repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 8, 2012

The Honorable Steve Tilley
Speaker
Room 308, Capitol Bldg.
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to request that **House Bill No. 1582** be withdrawn from consideration at this time.

Your consideration is appreciated.

Sincerely,

/s/ Steve Hodges
161st District

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 13, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twentieth Day, Wednesday, February 8, 2012, Page 270, Line 37, by deleting said line; and

Page 271, Line 24, by deleting “Children and Families”, and inserting in lieu thereof “Elementary and Secondary Education”; and

Page 271, Line 42, by inserting after said line the following:

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1172 - Children and Families

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 14, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1073, HB 1194

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 14, 2012, 2:00 PM House Hearing Room 4.

Markup on Agriculture.

Markup on Department of Natural Resource.

Markup on Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Markup on Agriculture continued, if needed.

Markup on Department of Natural Resource continued, if needed.

Markup on Department of Conservation continued, if needed.

Markup on HB 2006.

APPROPRIATIONS - EDUCATION

Tuesday, February 14, 2012, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup.

APPROPRIATIONS - EDUCATION

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup, continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 14, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup session for HBs 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 15, 2012, Upon Adjournment of Budget Committee Hearing House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

NOTE: This hearing will be held only if committee matters are not completed during the hearing on the preceding day.

Markup of HBs 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 14, 2012, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup on budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Markup on budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 14, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 2007.

CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 2007.

CORRECTED

BUDGET

Wednesday, February 15, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session will be held: HB 1030, HB 1029

Executive session may be held on any matter referred to the committee.

FY 2013 Budget overview by State Budget Director.

ELECTIONS

Tuesday, February 14, 2012, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 1046, HB 1263, HJR 47

Executive session will be held: HB 1236, HB 1340

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 14, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1111, HB 1342, HB 1395, HB 1549

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 15, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1475, HB 1531, HB 1283, HB 1072

Executive session may be held on any matter referred to the committee.

AMENDED

HIGHER EDUCATION

Tuesday, February 14, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1216, HB 1502, HB 1467

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 13, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1495, HB 1074, HB 1144, HB 1658

Executive session may be held on any matter referred to the committee.

AMENDED

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, February 14, 2012, 9:30 AM Senate Lounge.

Executive session may be held on any matter referred to the committee.

Executive session: Highway naming for Sergeant Joe Specker, license plate for National Multiple Sclerosis Society

RETIREMENT

Monday, February 13, 2012, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 1331, HB 1138

Executive session will be held: HB 1139

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Monday, February 13, 2012, 3:00 PM House Hearing Room 1.

Executive session will be held: HB 1192, HB 1112, HB 1347, HB 1517, HB 1128, HB 1041, HB 1103, HCS HB 1308, HCS HB 1442, HB 1349, HCS HB 1198, HB 1107, HCS HB 1059, HCS HB 1457, HB 1188, HCR 12, HCR 8, HCS HJR 61

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 13, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 1172, HB 1436

Executive session will be held: HB 1518, HB 1522

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, February 13, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1359, HB 1383

Executive session may be held on any matter referred to the committee.

Meal will not be provided.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 13, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1305

Executive session may be held on any matter referred to the committee.

AMENDED

TAX REFORM

Monday, February 13, 2012, 7:00 PM 516 S Country Club, JC.

Presentation.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, February 14, 2012, 4:00 PM House Hearing Room 2.

Public hearing will be held: HB 1484, HB 1231, HB 1345

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, February 13, 2012, Upon Evening Adjournment House Hearing Room 5.

Executive session will be held: HB 1344, HB 1273, HB 1466

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 14, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1084, HB 1574, HB 1097, HB 1296, HCR 22, HB 1110

Executive session may be held on any matter referred to the committee.

Please note the change. We will be hearing HB 1110 Barnes, not HB 1100 Fitzwater.

AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 13, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1441, HB 1403, HB 1540

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SECOND DAY, MONDAY, FEBRUARY 13, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 78 and HJR 79

HOUSE BILLS FOR SECOND READING

HB 1697 through HB 1714

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

1 HCS HB 1186 & 1147 - Parkinson

2 HCS HB 1298 & 1180 - Parkinson

HOUSE BILLS FOR PERFECTION - CONSENT

(2/7/2012)

1 HB 1075 - Sater

2 HB 1093 - Elmer

3 HB 1141 - Gatschenberger

4 HB 1156 - Rowland

5 HB 1179 - Hampton

- 6 HB 1185 - Parkinson
- 7 HB 1250 - Ruzicka
- 8 HB 1251 - Ruzicka
- 9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 3, (1/31/12, Page 194) - Scharnhorst

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

SENATE BILLS FOR SECOND READING

- 1 SB 564
- 2 SS SCS SB 592

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (2/2/12, Page 217) - Loehner

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SECOND DAY, MONDAY, FEBRUARY 13, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Major Kendall Mathews.

Dear Lord, I ask Your blessing on these men and women, Your legislators and people, to give them the courage to make sound decisions this week that will positively impact the people of this great state. Lord, we also pray for the people in need, the downtrodden, and the homeless in Missouri.

Give this body the wisdom, knowledge and clear thinking as they set policy that will impact people of every economic level. May Your Holy Hand touch them today and guide them to do what is right in Your sight. You, O Lord, have the power to renew, restore and reclaim these who need help to stand tall, even against all odds. You are a God Who will never fail them.

“Blessed are the peacemakers, for they will be called sons and daughters of God.” (*Matthew 5:9*). May these lawmakers be Your agents of Your perfect peace, by their outward actions of sound policy making, and an inward conviction to remain faithful to the people they represent.

God, show them Your love, show them Your peace, show them Your grace, and show them that You are Lord of all. Bless their families, their staff and their constituents. May it be so in the power and joy of Jesus Christ. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 650 through House Resolution No. 671.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 78 and **HJR 79** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1697 through **HB 1714** were read the second time.

SECOND READING OF SENATE BILLS

SB 564 and **SS SCS SB 592** were read the second time.

HOUSE CONCURRENT RESOLUTION

HCR 13, relating to rivers and streams, was taken up by Representative Loehner.

Representative Silvey assumed the Chair.

Speaker Tilley resumed the Chair.

On motion of Representative Loehner, **HCR 13** was adopted.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCS HCR 3, relating to a balanced budget amendment, was taken up by Representative Scharnhorst.

Representative Parkinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Concurrent Resolution No. 3, Page 1, Section 3, Line 21, by inserting after all of said section the following:

“Section 4. The Congress shall not impose upon a state or political subdivision of the United States any obligation or duty to make expenditures unless such expenditures shall be fully reimbursed by the United States; nor shall Congress place any condition on the expenditure or receipt of appropriated funds requiring a state or political subdivision of the United States to enact a law or regulation restricting the liberties of its citizens.”; and

Further amend said bill, Page 2, Section 4, Line 23, by deleting the number, “4” and inserting in lieu thereof the number, “5”; and

Further amend said bill, Page 2, Section 5, Line 26, by deleting the number, “5” and inserting in lieu thereof the number, “6”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Parkinson, **House Amendment No. 1** was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty

McGhee	Molendorp	Nance	Nasheed	Neth
Parkinson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 055

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Grisamore	Harris	Higdon	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	Lasater
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Rizzo	Schieffer	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Aull	Brown 50	Brown 116	Diehl	Hughes
Kander	McNary	Nolte	Schoeller	

On motion of Representative Scharnhorst, **HCS HCR 3, as amended**, was adopted.

On motion of Representative Scharnhorst, **HCS HCR 3, as amended**, was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad

Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 033

Atkins	Carlson	Carter	Colona	Ellinger
Ellington	Hubbard	Hummel	Jones 63	Kirkton
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Brown 50	Brown 116	Day	Diehl
Hughes	Kander	Nolte		

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 73 - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1275 - Ways and Means
HB 1520 - Corrections
HB 1542 - Ways and Means
HB 1569 - Tax Reform
HB 1573 - Local Government
HB 1641 - Transportation
HB 1646 - Tourism and Natural Resources
HB 1679 - Local Government
HB 1700 - Crime Prevention and Public Safety

COMMITTEE REPORTS

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1037**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1114**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1139**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1431**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1441**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 61**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1059**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1103**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1107**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1112**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1128**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1188**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1192**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1198**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1308**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1347**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1349**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1442**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1457**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1517**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 80, introduced by Representatives Hoskins, Largent and Day, relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1715, introduced by Representative Riddle, relating to the release of a lien or encumbrance from a certificate of ownership.

HB 1716, introduced by Representative Cox, relating to construction contract bidding standards for political subdivisions.

HB 1717, introduced by Representatives Kelley (126), Conway (14), Bahr, Brattin, Johnson, Reiboldt and Schoeller, relating to withholding tax returns.

COMMUNICATION

February 13, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

As an independent licensed insurance agent and sole owner of Wieland Insurance Group, LLC, I sell and service multiple lines of the insurance.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Best regards,

/s/ Paul Wieland
District 102

The following member's presence was noted: Brown (116).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 14, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 14, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1073, HB 1194

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 14, 2012, 2:00 PM House Hearing Room 4.

Markup on Agriculture.

Markup on Department of Natural Resource.

Markup on Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Markup on Agriculture continued, if needed.

Markup on Department of Natural Resource continued, if needed.

Markup on Department of Conservation continued, if needed.

Markup on HB 2006.

APPROPRIATIONS - EDUCATION

Tuesday, February 14, 2012, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup.

APPROPRIATIONS - EDUCATION

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup, continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 14, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup session for HB's 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 15, 2012, Upon Adjournment of Budget Committee Hearing House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

NOTE: This hearing will be held only if committee matters are not completed during the hearing on the preceding day.

Markup of HB's 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 14, 2012, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup on budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Markup on budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 14, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 2007.

CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 2007.

CORRECTED

BUDGET

Wednesday, February 15, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session will be held: HB 1030, HB 1029

Executive session may be held on any matter referred to the committee.

FY 2013 Budget overview by State Budget Director.

CHILDREN AND FAMILIES

Wednesday, February 15, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1577, HB 1578, HB 1079, HB 1145, HB 1278

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, February 15, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1175, HB 1203, HB 1168, HB 1136, HB 1474

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 15, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1700

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 14, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1593

Executive session may be held on any matter referred to the committee.

Work session, continued (No public testimony during work session).

ELECTIONS

Tuesday, February 14, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1046, HB 1263, HJR 47

Executive session will be held: HB 1236, HB 1340

Executive session may be held on any matter referred to the committee.

CORRECTED

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 15, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1629, HB 1425

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 14, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1111, HB 1342, HB 1395, HB 1549

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 15, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1475, HB 1531, HB 1283, HB 1072

Executive session may be held on any matter referred to the committee.

AMENDED

HIGHER EDUCATION

Tuesday, February 14, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1216, HB 1502, HB 1467

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, February 14, 2012, 9:30 AM Senate Lounge.

Executive session may be held on any matter referred to the committee.

Executive session: Highway naming for Sergeant Joe Specker, license plate for National Multiple Sclerosis Society.

JUDICIARY

Wednesday, February 15, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1460, HB 1527, HB 1391, HB 1675, HB 1382

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 15, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1325, HB 1492, HB 1313, HB 1336, HB 1096

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 15, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1399

Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, February 15, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1134, HB 1214, HB 1379, HB 1146, HB 1661

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, February 14, 2012, 3:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

The bills to be heard this week in committee are:

HJR 44 - Rep. Stanley Cox

HJR 77 - Rep. Doug Funderburk

TAX REFORM

Wednesday, February 15, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1569

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 14, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1510, HB 1149, HB 1261, HB 1126, HB 1640, HB 1641

Executive session may be held on any matter referred to the committee.

AMENDED

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, February 14, 2012, 4:00 PM House Hearing Room 2.

Public hearing will be held: HB 1484, HB 1231, HB 1345

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, February 14, 2012, Upon Morning Adjournment House Hearing Room 1.

Executive session will be held: HB 1108, HB 1341, HB 1361

Executive session may be held on any matter referred to the committee.

We will go into executive session either at noon or upon morning adjournment, whichever comes first. Your prompt arrival is requested.

Informational hearings will follow executive session.

VETERANS

Tuesday, February 14, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1084, HB 1574, HB 1097, HB 1296, HCR 22, HB 1110

Executive session may be held on any matter referred to the committee.

Please note the change. We will be hearing HB 1110 Barnes, not HB 1100 Fitzwater.

AMENDED

HOUSE CALENDAR

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 14, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 80

HOUSE BILLS FOR SECOND READING

HB 1715 through HB 1717

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 45 - Solon
- 2 HCS HJR 61 - Loehner

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1186 & 1147 - Parkinson
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1041 - Thomson
- 4 HB 1103 - Crawford
- 5 HB 1192 - Koenig
- 6 HCS HB 1308 - Wells
- 7 HB 1349 - Jones (117)
- 8 HCS HB 1442 - Smith (150)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/7/2012)

- 1 HB 1075 - Sater
- 2 HB 1093 - Elmer
- 3 HB 1141 - Gatschenberger
- 4 HB 1156 - Rowland
- 5 HB 1179 - Hampton
- 6 HB 1185 - Parkinson
- 7 HB 1250 - Ruzicka
- 8 HB 1251 - Ruzicka
- 9 HB 1269 - Brattin

(2/14/2012)

- 1 HCS HB 1059 - Dugger
- 2 HB 1107 - Dugger
- 3 HB 1112 - Gosen
- 4 HB 1128 - Largent
- 5 HB 1188 - Allen
- 6 HB 1347 - Franz
- 7 HCS HB 1457 - Crawford
- 8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 14, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Look unto Me, and be ye saved, all the ends of the earth: for I am God, and there is no other. (Isaiah 45:22)

Spirit of God, arise within our hearts and make us ready for the tasks of this day. Help us to turn our thoughts to You and to open our hearts to Your spirit that we may always be honest in our dealings, understanding in our endeavors, and loving in our relationships.

From this moment of prayer on St. Valentine's Day, may there come a power which will carry us through every experience with courage, love and faith.

Bless our people with Your favor, that being mindful of Your spirit we may live together in peace and good will, and all of us work for the good of all. May those who walk through the valley of the shadow of death find comfort and strength in You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-second day was approved as printed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald

McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Brown 50	Franz	Fuhr	Haefner
Hughes	Molendorp	Rizzo		

SPECIAL RECOGNITION

James Brady, President of the Missouri Future Farmers of America (FFA) was introduced by Speaker Tilley.

Mr. Brady addressed the House.

HOUSE RESOLUTIONS

Representative Fuhr offered House Resolution No. 672.
Representative Hinson offered House Resolution No. 677.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 673 through House Resolution No. 676
House Resolution No. 678 through House Resolution No. 681

HOUSE CONCURRENT RESOLUTIONS

Representative Asbury, et al., offered House Concurrent Resolution No. 36.
Representative Barnes, et al., offered House Concurrent Resolution No. 37.
Representative McCreery, et al., offered House Concurrent Resolution No. 38.
Representative Nasheed offered House Concurrent Resolution No. 39.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 80 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1715 through **HB 1717** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HBs 1186 & 1147, relating to English-only driver's examinations, was taken up by Representative Parkinson.

Representative Sifton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1186 & 1147, Page 3, Section 302.173, Line 70, by inserting after all of said line the following:

“5. In the event a license is denied under this section for any reason, the department shall provide to the applicant written information relating to the procedure for obtaining a nondriver’s identification card issued under this chapter. Written material distributed under this subsection shall be made available in the applicant’s native language, provided his or her native language is one of the eleven languages other than English offered for the written driver’s examination prior to August 28, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Anders	Atkins	Aull	Bahr	Black
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Frederick	Gosen
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Sater	Schieber
Schieffer	Schupp	Shively	Shumake	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber

NOES: 090

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford

Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Cauthorn	Hoskins	Jones 117	Schatz
Schneider	Schoeller	Webb		

Representative Diehl assumed the Chair.

Representative May offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 1186 & 1147, Page 2, Section 302.173, Lines 34 and 35, by deleting all of said lines and inserting in lieu thereof the following:

"applicant may provide his or her own spoken language interpreter, provided the applicant is responsible for reimbursing the interpreter for his or her services. The director shall not supply nor pay for the use of an interpreter in connection with the written and driving tests required under this section, but sign language"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative May moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo

Schieffer	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber	Wyatt			

NOES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Cierpiot	Dieckhaus	Fuhr	Haefner
Hoskins	Meadows	Nolte	Schatz	Schoeller
Torpey	Webb			

Representative Hughes offered **House Amendment No. 3**.

Representative Long raised a point of order that **House Amendment No. 3** is in violation of Rule 46(d).

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS HBs 1186 & 1147 was laid over.

HCS HBs 1298 & 1180, relating to tort actions for damages, was taken up by Representative Parkinson.

Representative Ruzicka offered **House Amendment No. 1**.

AMEND House Committee Substitute for House Bill Nos. 1298 & 1180, Page 2, Section 537.067, Line 32, by inserting after all of said section and line the following:

“537.850. 1. Sections 537.850 to 537.862 shall be known and may be cited as the "Agritourism Promotion Act".

2. As used in sections 537.850 to 537.862, the following terms shall mean:

(1) "Agritourism activity", any activity which allows members of the general public for recreational, entertainment, or educational purposes to view or enjoy rural activities, including but not limited to farming activities, ranching activities, or historic, cultural, or natural attractions. An activity may be an agritourism activity whether or not the participant pays to participate in the activity. An activity is not an agritourism activity if the participant is paid to participate in the activity;

(2) "Department", the state department of agriculture;

(3) "Director", the director of the department of agriculture;

(4) "Inherent risks of a registered agritourism activity", those dangers or conditions which are an integral part of such agritourism activity, including but not limited to certain hazards such as surface and subsurface conditions; natural conditions of land, vegetation, and waters; the behavior of wild or domestic animals; and ordinary dangers of structures or equipment ordinarily used in farming or ranching operations. Inherent risks of a registered agritourism activity also includes the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to follow instructions given by the registered agritourism operator or failing to exercise reasonable caution while engaging in the registered agritourism activity;

(5) "Participant", any person who engages in a registered agritourism activity;

(6) "Registered agritourism activity", any agritourism activity that is registered with the director of the department of agriculture under section 537.853, and any rules promulgated thereunder;

(7) "Registered agritourism location", a specific parcel of land which is registered with the director of the department of agriculture under section 537.853, and any rules promulgated thereunder, and where a registered agritourism operator engages in registered agritourism activities;

(8) "Registered agritourism operator", any person who is engaged in the business of providing one or more agritourism activities and is registered with the director of the department of agriculture under section 537.853, and any rules promulgated thereunder.

537.853. 1. Any person who is engaged in the business of providing one or more agritourism activities may register with the director of the department of agriculture. The registration shall contain all of the following:

(1) Information describing the agritourism activity which the person conducts or intends to conduct;

(2) Information describing the location where the person conducts or intends to conduct such agritourism activity.

2. The department shall maintain a list of all registered agritourism operators, the registered agritourism activities conducted by each operator, and the registered agritourism location where the operator conducts such activities. Such list shall be made available to the public. The department shall promote and publicize registered agritourism operators, activities, and locations to advance the purpose of sections 537.850 to 537.862 by promoting and encouraging tourism.

3. Registration under this section shall be for a period of two years.

4. A registration fee not to exceed one hundred dollars may be imposed on an applicant to cover the actual administrative costs associated with such registration under this section.

537.856. 1. At every registered agritourism location, the registered agritourism operator shall post and maintain signage which contains the warning notice specified in subsection 3 of this section. The requirements of this section shall be deemed satisfied if such signage is placed in a clearly visible location at or near the registered agritourism location. The warning notice shall appear on the sign in black letters, with each letter to be at least one inch in height.

2. Every written contract entered into by a registered agritourism operator for the providing of a registered agritourism activity shall contain in clearly readable print the warning notice and language specified in subsection 3 of this section.

3. The required signage under this section shall contain the following warning notice:

"WARNING: Under Missouri law, there is no liability for an injury or death of a participant in a registered agritourism activity conducted at this registered agritourism location if such injury or death results from the inherent risks of such agritourism activity. Inherent risks of agritourism activities include, but are not limited to, the potential of you as a participant to act in a negligent manner that may contribute to your injury or death and the potential of another participant to act in a negligent manner that may contribute to your injury or death. You are assuming the risk of participating in this registered agritourism activity."

4. Upon request, the registered agritourism operator shall provide to any participant a written description of the registered agritourism activity, as set forth in the registration under section 537.853 for which sections 537.850 to 537.862 limits the registered agritourism operator's liability at the registered agritourism location.

537.859. 1. Any participant is assuming the inherent risks of a registered agritourism activity when such participant engages in such agritourism activity. Except as provided in subsection 2 of this section, a registered agritourism operator is not liable for injury to or death of a participant resulting from the inherent risks of agritourism activities so long as the warning contained in section 537.856 is posted as required and, except as provided in subsection 2 of this section, no participant or participant's representative shall maintain an action against or recover from a registered agritourism operator for injury, loss, damage, or death of the participant resulting exclusively from any of the inherent risks of agritourism activities.

2. Nothing in sections 537.850 to 537.862 shall prevent or limit the liability of a registered agritourism operator if the registered agritourism operator:

- (1) Injures the participant by willful or wanton conduct;**
- (2) Has actual knowledge or should have known of a dangerous condition in the facilities or equipment used in the registered agritourism activity and does not make such dangerous condition known to a participant and such dangerous condition causes the participant to sustain injuries; or**
- (3) Fails to use that degree of care that an ordinarily careful and prudent person would use under the same or similar circumstances.**

3. In any action for damages for personal injury, death, or property damage arising from the operation of a registered tourism activity in which an owner or operator is named as a defendant, it shall be an affirmative defense to that liability that:

- (1) The injured person assumed the risk;**
- (2) The injured person deliberately disregarded conspicuously posted signs, verbal instructions, or other warnings regarding safety measures during the activity; or**
- (3) Any equipment, animals, or appliance used by the injured person during the activity were used in a manner or for a purpose other than that for which a reasonable person should have known they were intended.**

537.862. 1. There is hereby created in the state treasury the "Agritourism Fee Fund", which shall consist of any moneys appropriated to the fund and registration fees collected under section 537.853. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Upon appropriation, money in the fund shall be used solely for the administration of sections 537.850 to 537.862.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 1** was adopted by the following vote:

AYES: 111

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McGhee	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 038

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Hodges	Holsman	Hubbard
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Oxford	Pace	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Talboy
Taylor	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Dugger	Gatschenberger	Hoskins
Hughes	Jones 63	Long	McCaherty	Redmon
Scharnhorst	Schatz	Swearingen	Wright	

Representative Colona offered **House Amendment No. 2**.

Representative Cox raised a point of order that **House Amendment No. 2** is in violation of Rule 46(d).

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS HBs 1298 & 1180, as amended, was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 5 - Veterans

HCR 32 - Tourism and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1052 - Elections

HB 1067 - Crime Prevention and Public Safety

HB 1426 - Crime Prevention and Public Safety

HB 1524 - Rural Community Development

HB 1551 - Crime Prevention and Public Safety

HB 1552 - Local Government

HB 1615 - Judiciary

HB 1634 - Tourism and Natural Resources

HB 1691 - Utilities

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1679 - General Laws

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1404**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1258**, **HB 1259** and **HB 1260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1236**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1228**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1495**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1361**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 22

WHEREAS, women have served honorably and with courage in all of America's wars and conflicts since the American Revolution; and

WHEREAS, the United States military has evolved from a predominantly male force to a force of over 14% women who are currently serving on active duty, and nearly 17% serving in the Reserves and National Guard; and

WHEREAS, the population of women veterans is increasing exponentially from 1.1 million in 1980 to a projection of nearly 2 million by 2020, and will comprise more than 10% of the veteran population; and

WHEREAS, the projected population of male veterans is expected to continue to decline; and

WHEREAS, given that an unprecedented number of women are serving in the military and participating in Operation Enduring Freedom and Operation Iraqi Freedom, the United States Department of Veterans Affairs (VA) is working to provide consistent, comprehensive, and quality health care and benefits to women veterans of all eras; and

WHEREAS, the number of women veterans has increased over the last decade because there is an increasing number and proportion of women who are entering and leaving the military, and women are living longer than men and have a younger age distribution compared to male veterans; and

WHEREAS, even though the VA has been at the forefront of health care and lifestyle solutions affecting an aging male population, there is now a growing need to improve health care services for women veterans, ensure clinicians are properly trained to provide primary care and gender specific care to women of all ages, and identify innovative courses of treatment and solutions to obstacles that are unique to women veterans; and

WHEREAS, with a rapidly increasing number of women serving in the military today and returning from deployments as seasoned veterans, and some with exposure to combat, VA facilities and veterans service organizations are working to ensure that the post-deployment mental and physical health needs unique to women veterans are also met; and

WHEREAS, even though the roles of women in the military have changed over time and will continue to change, they deserve to be acknowledge for their military service and treated with equal respect:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourages the Missouri Veterans Commission and its women veterans state coordinator to work in conjunction with the National Foundation for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to reach out to all women veterans within the State of Missouri to encourage them to bring their specific needs and concerns to the attention of agency officials so that state legislators and agency officials may work together to identify unique issues impacting women veterans and consider policy solutions that will improve the quality of life for women veterans within this state; and

BE IT FURTHER RESOLVED that the Missouri General Assembly formally honors all of the women in this state who have heroically answered their call to duty and recognizes the important role women have played in shaping this great nation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Veterans Commission.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1098** and **HB 1084**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1075, HB 1093, HB 1141, HB 1156, HB 1179, HB 1185, HB 1250, HB 1251, and HB 1269.**

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 40, introduced by Representatives McNeil, Oxford, McDonald, Spreng, McCann Beatty, McCreery, Newman, Lampe, Webb, Carter, Kirkton, Taylor, Sifton, Colona, Schupp, Carlson, McGeoghegan, Walton Gray, Smith (71), Nichols, Pace and Ellinger, relating to the ratification of the Equal Rights Amendment to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 81, introduced by Representatives Kelley (126), Davis, Reiboldt, Long, Conway (14), Bahr, Johnson and Entlicher, relating to property taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1718, introduced by Representatives Scharnhorst, Tilley, Jones (89), Dieckhaus, Diehl and McNary, relating to the Missouri special needs scholarship tax credit program known as Bryce's Law.

HB 1719, introduced by Representatives Scharnhorst, Tilley, Talboy, Dugger, Conway (27), Webber, Smith (71), Hinson and Entlicher, relating to Agreement Among the States to Elect the President by National Popular Vote Act.

HB 1720, introduced by Representatives Ruzicka, Lasater, Phillips, Pollock, Franklin, Scharnhorst and McNary, relating to park rangers.

HB 1721, introduced by Representatives Colona and Ellinger, relating to probation and parole for juvenile offenders.

HB 1722, introduced by Representatives Thomson and Wallingford, relating to proprietary schools.

HB 1723, introduced by Representatives Torpey, Talboy, Brown (50), Jones (89), Cierpiot, McCann Beatty, Swearingen, Ellington, Jones (117), Tilley, Morgan, Holsman, Anders, Lasater, Webber, Jones (63), Carter, McManus, Sifton, Hummel, Colona, McCreery, Rizzo, Atkins, McDonald, Berry, Neth, Zerr, Hough, Lauer, Solon, Hughes, Casey, Ellinger, Higdon, Grisamore, Montecillo, Molendorp, Largent, Conway (27), Nolte and Silvey, relating to the distressed areas land assemblage tax credit.

HB 1724, introduced by Representatives Wright, Fisher, Sater, Houghton, Schatz, Phillips, Richardson, Hampton, Guernsey, Lair, Grisamore, Brown (116), Higdon, Koenig, White, Wieland, Crawford, Elmer, Nance, Leara, Wallingford, Loehner, Schad, Scharnhorst, Swinger, Aull, Holsman, Hodges, Schieffer, Casey, Quinn, Shively, Hughes, Pollock, Wells and Dugger, relating to operating a motor vehicle with dyed motor fuel.

HB 1725, introduced by Representatives Fitzwater, Fraker, Cookson, Day, Phillips, Franz, Loehner, Rowland, Pollock, Wells, Dugger, Smith (150), Reiboldt, Lant and Wright, relating to the tax credit for wood energy procedures.

HB 1726, introduced by Representatives Shively, Hughes, Swinger, Aull, Fallert, Schieffer, Black and Quinn, relating to training requirements for a concealed carry endorsement.

HB 1727, introduced by Representatives McCreery, Newman, Oxford, Kirkton, Schupp, Ellinger, McCann Beatty, McNeil, Morgan, Carlson, Pierson, Lampe and Still, relating to taxation.

HB 1728, introduced by Representatives Johnson, Tilley, Houghton, McNary, Brown (85), Kelley (126), Fuhr, Scharnhorst, Hinson, Schatz, Hoskins, Berry, Riddle, Ruzicka, Molendorp, Franklin, Entlicher, Zerr, Hampton, Fraker, Reiboldt, Schneider, Higdon, Redmon, Klippenstein, Brattin, Lichtenegger, Kratky, Conway (27), Lampe, Talboy, Holsman, Jones (117) and Brown (116), relating to the Missouri jobs for education program.

HB 1729, introduced by Representatives Elmer, Rowland, Phillips and Weter, relating to judicial circuits.

HB 1730, introduced by Representatives Cox, Gatschenberger, Fuhr, Wieland, Zerr and Fisher, relating to the protection of the religious beliefs and moral convictions of certain persons and entities.

HB 1731, introduced by Representatives Day, Nance, Atkins, White, Higdon, Elmer, Wells, Wieland, Solon, Ruzicka, Richardson, Cookson, Meadows, Fitzwater, Cauthorn, Brown (85), Fisher, Hoskins and Frederick, relating to the gaming moneys.

HB 1732, introduced by Representatives Cookson, Phillips, Franklin, Bahr, Burlison and Fitzwater, relating to the school calendar.

HB 1733, introduced by Representatives Kelley (126), Berry, Brattin, Reiboldt and Entlicher, relating to all-terrain utility vehicle use in municipalities.

HB 1734, introduced by Representative Kelley (126), relating to motor vehicle dealer administration fees.

The following member's presence was noted: Brown (50).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 15, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Markup on Agriculture continued, if needed.

Markup on Department of Natural Resource continued, if needed.

Markup on Department of Conservation continued, if needed.

Markup on HB 2006.

APPROPRIATIONS - EDUCATION

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup, continued.

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 15, 2012, Upon Adjournment of Budget Committee, Hearing House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

NOTE: This hearing will be held only if committee matters are not completed during the hearing on the preceding day.

Markup of HB's 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 16, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommended changes to HB's 2010 and 2011 will be considered.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Markup on budget.

CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 15, 2012, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Markup for HB 2007.

CORRECTED

BUDGET

Wednesday, February 15, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session will be held: HB 1030, HB 1029

Executive session may be held on any matter referred to the committee.

FY 2013 Budget overview by State Budget Director.

CHILDREN AND FAMILIES

Wednesday, February 15, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1577, HB 1578, HB 1079, HB 1278

Executive session may be held on any matter referred to the committee.

AMENDED

CORRECTIONS

Wednesday, February 15, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1474, HB 1175, HB 1520

Executive session may be held on any matter referred to the committee.

No public hearing on HB's 1203, 1168 and 1136

AMENDED

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 15, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1700

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 15, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1629, HB 1425

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, February 15, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

HEALTH CARE POLICY

Wednesday, February 15, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1475, HB 1531, HB 1283, HB 1072

Executive session may be held on any matter referred to the committee.

AMENDED

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 15, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1449

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 15, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1460, HB 1527, HB 1391, HB 1675, HB 1382

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 15, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1325, HB 1492, HB 1313, HB 1336, HB 1096

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 15, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1399

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Wednesday, February 15, 2012, Upon Morning Adjournment South Gallery.

Executive session will be held: HB 1037, HCS HB 1106, HB 1114, HB 1131, HCS HB 1193, HCS HB 1220, HB 1441, HCS HB 2014, HCS HJR 41, HCS HB 1344

Executive session may be held for any or all bills referred to the committee.

SMALL BUSINESS

Wednesday, February 15, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1134, HB 1214, HB 1661

Executive session may be held on any matter referred to the committee.

We will not be hearing HB 1379 or HB 1146

AMENDED

TAX REFORM

Wednesday, February 15, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1569

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 16, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1637, HB 1542, HB 1218

Executive session will be held: HB 1381

Executive session may be held on any matter referred to the committee.

HB 1489 has been removed.

AMENDED

HOUSE CALENDAR

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 15, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 40

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 81

HOUSE BILLS FOR SECOND READING

HB 1718 through HB 1734

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 45 - Solon
- 2 HCS HJR 61 - Loehner

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1186 & 1147 - Parkinson
- 2 HCS HBs 1298 & 1180, as amended - Parkinson
- 3 HB 1041 - Thomson
- 4 HB 1103 - Crawford
- 5 HB 1192 - Koenig
- 6 HCS HB 1308 - Wells
- 7 HB 1349 - Jones (117)
- 8 HCS HB 1442 - Smith (150)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/14/2012)

- 1 HCS HB 1059 - Dugger
- 2 HB 1107 - Dugger
- 3 HB 1112 - Gosen
- 4 HB 1128 - Largent
- 5 HB 1188 - Allen
- 6 HB 1347 - Franz
- 7 HCS HB 1457 - Crawford
- 8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1075 - Sater
- 2 HB 1093 - Elmer
- 3 HB 1141 - Gatschenberger
- 4 HB 1156 - Rowland
- 5 HB 1179 - Hampton
- 6 HB 1185 - Parkinson
- 7 HB 1250 - Ruzicka
- 8 HB 1251 - Ruzicka
- 9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 15, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let the words of my mouth, and the mediation of my heart, be acceptable in Thy sight, O Lord, my strength, and my Redeemer. (Psalm 19:14)

Our God, Who is in Heaven and on Earth, we pause in Your presence once again to acknowledge our dependence upon You, and to offer to You the devotion of our hearts. Make plain to us what we should do this day and give us courage to walk in that way.

In all our thinking, in all our speaking, in all our doing, may Your love motivate us. Your strength support us, and Your spirit guide us for the good of our state and for the well-being of all people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-third day was approved as printed.

SPECIAL RECOGNITION

Individuals representing the Joplin Emergency Operations Center were introduced by Representative White and recognized as Outstanding Missourians.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 682 through House Resolution No. 696

HOUSE CONCURRENT RESOLUTIONS

Representative Curtman, et al., offered House Concurrent Resolution No. 41.
Representative Rowland, et al., offered House Concurrent Resolution No. 42.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 40 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 81 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1718 through **HB 1734** were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1075, relating to pharmacy inventory requirements, was taken up by Representative Sater.

On motion of Representative Sater, **HB 1075** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Mr Speaker	

NOES: 012

Colona	Ellington	Hughes	Kelly 24	May
McCann Beatty	Montecillo	Rizzo	Smith 71	Spreng
Talboy	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 007

Day	Fuhr	Grisamore	Hough	McNary
Wyatt	Zerr			

Speaker Tilley declared the bill passed.

HB 1093, relating to a Navy Cross special license plate, was taken up by Representative Elmer.

On motion of Representative Elmer, **HB 1093** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McDonald
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Newman

PRESENT: 011

Atkins	Kirkton	McCann Beatty	McCreery	McNeil
Morgan	Oxford	Pace	Spreng	Taylor
Walton Gray				

ABSENT WITH LEAVE: 002

Day	Fuhr
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Speaker Tilley declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1103, relating to appraisal management company notices, was taken up by Representative Crawford.

On motion of Representative Crawford, **HB 1103** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1141, relating to a “Don't Tread on Me” special license plate, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 1141** was read the third time and passed by the following vote:

AYES: 124

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer

Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 032

Atkins	Carlson	Carter	Colona	Ellington
Hodges	Hughes	Jones 63	Kander	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 002

Kirkton	Spreng
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ABSENT WITH LEAVE: 005

Day	Lampe	Long	Schad	Schneider
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Speaker Tilley declared the bill passed.

HB 1156, relating to the designation of the “Matthew J. England Memorial Highway”, was taken up by Representative Rowland.

On motion of Representative Rowland, **HB 1156** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo

Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Day	Long	McGhee	Schad	Shumake
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Speaker Tilley declared the bill passed.

Representative Keeney assumed the Chair.

HB 1179, relating to major water users, was taken up by Representative Hampton.

Representative Hummel moved that **HB 1179** be recommitted to the committee of origin.

Which motion was defeated by the following vote:

AYES: 048

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

NOES: 108

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long

Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Cauthorn	Day	Fraker	Korman	Largent
Scharnhorst	Wallingford			

On motion of Representative Hampton, **HB 1179** was read the third time and passed by the following vote:

AYES: 095

Allen	Aull	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Casey	Cierpiot
Conway 14	Conway 27	Cookson	Crawford	Cross
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGeoghegan	McGhee	McManus
McNary	Meadows	Nance	Nasheed	Nichols
Nolte	Parkinson	Phillips	Quinn	Redmon
Richardson	Rowland	Ruzicka	Sater	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Solon	Still	Stream
Swinger	Taylor	Thomson	Torpey	Webber
Weter	Wieland	Wright	Zerr	Mr Speaker

NOES: 047

Anders	Asbury	Atkins	Bahr	Brattin
Burlison	Carlson	Carter	Colona	Cox
Curtman	Davis	Ellington	Frederick	Guernsey
Houghton	Hughes	Hummel	Jones 63	Kelley 126
Kelly 24	Koenig	Korman	Leach	Marshall
May	McCann Beatty	McNeil	Molendorp	Montecillo
Neth	Newman	Pace	Pierson	Pollock
Riddle	Rizzo	Schad	Schatz	Schupp
Silvey	Smith 71	Smith 150	Swearingen	Walton Gray
Webb	White			

PRESENT: 007

Ellinger	Kirkton	McCreery	Morgan	Oxford
Sommer	Spreng			

ABSENT WITH LEAVE: 014

Barnes	Bernskoetter	Cauthorn	Day	Dugger
Flanigan	Hough	Klippenstein	Leara	Reiboldt
Talboy	Wallingford	Wells	Wyatt	

Representative Keeney declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1192, relating to the Missouri Higher Education Savings Program, was taken up by Representative Koenig.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Asbury	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 116	Burlison	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wells	Weter	White
Wieland	Wright			

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp

Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Barnes	Brown 85	Cauthorn	Day
Dugger	Flanigan	Funderburk	Korman	Leara
Marshall	McGhee	Schneider	Shumake	Silvey
Wallingford	Wyatt	Zerr	Mr Speaker	

On motion of Representative Koenig, **HB 1192** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1185, relating to the reporting of certain illegal aliens, was taken up by Representative Parkinson.

On motion of Representative Parkinson, **HB 1185** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	Wieland	Wright	Wyatt
Zerr				

NOES: 024

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Ellington	Hubbard	Hughes	Jones 63
Kelly 24	McDonald	McGeoghegan	Morgan	Nasheed
Newman	Oxford	Pace	Pierson	Smith 71
Swearingen	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 008

Davis	Day	Dugger	Gatschenberger	Leara
Sommer	White	Mr Speaker		

Representative Keeney declared the bill passed.

HB 1250, relating to third class city primary elections, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 1250** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 001

Hughes

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Dugger	Ellington	Elmer	Gatschenberger
Jones 117	Leara	Nolte	Rowland	Mr Speaker

Representative Keeney declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1041, relating to state university property transfers, was taken up by Representative Thomson.

On motion of Representative Thomson, **HB 1041** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1251, relating to Safe Drinking Water Act fees, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 1251** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips

Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 004

Curtman	Hughes	Koenig	Marshall
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PRESENT: 001

Ellington

ABSENT WITH LEAVE: 007

Day	Gatschenberger	Jones 117	Leara	Loehner
Schad	Mr Speaker			

Representative Keeney declared the bill passed.

HB 1269, relating to “The Burnt District” special license plate, was taken up by Representative Brattin.

On motion of Representative Brattin, **HB 1269** was read the third time and passed by the following vote:

AYES: 094

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 056

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brown 116	Day	Denison	Klippenstein
Loehner	Neth	Nolte	Schad	Scharnhorst
Swinger	Wyatt	Mr Speaker		

Representative Keeney declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 4 - General Laws
HCR 20 - Tourism and Natural Resources
HCR 21 - Tourism and Natural Resources
HCR 23 - Economic Development
HCR 25 - Health Care Policy
HCR 26 - Veterans
HCR 36 - General Laws
HCR 37 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 57 - Budget
HJR 59 - Rural Community Development
HJR 65 - Elections
HJR 66 - Elections
HJR 68 - Budget
HJR 71 - Tax Reform
HJR 75 - Elections
HJR 79 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1221** - Transportation
- HB 1249** - Local Government
- HB 1335** - General Laws
- HB 1408** - Tourism and Natural Resources
- HB 1416** - General Laws
- HB 1482** - General Laws
- HB 1491** - Children and Families
- HB 1506** - Health Insurance
- HB 1509** - Health Insurance
- HB 1511** - Transportation
- HB 1515** - Crime Prevention and Public Safety
- HB 1516** - Crime Prevention and Public Safety
- HB 1560** - Judiciary
- HB 1570** - Elementary and Secondary Education
- HB 1571** - Economic Development
- HB 1580** - Health Insurance
- HB 1588** - Judiciary
- HB 1594** - Insurance Policy
- HB 1600** - Retirement
- HB 1604** - Elementary and Secondary Education
- HB 1612** - Transportation
- HB 1631** - Elementary and Secondary Education
- HB 1632** - Transportation Funding and Public Institutions
- HB 1636** - Judiciary
- HB 1648** - Elections
- HB 1651** - Special Standing Committee on Disability Services
- HB 1652** - Special Standing Committee on Disability Services
- HB 1655** - Judiciary
- HB 1665** - Urban Issues
- HB 1668** - Transportation
- HB 1677** - Judiciary
- HB 1680** - Veterans
- HB 1684** - Transportation
- HB 1687** - Transportation
- HB 1688** - Agri-Business
- HB 1692** - Elections
- HB 1694** - Transportation
- HB 1701** - Local Government
- HB 1704** - Health Insurance
- HB 1705** - Utilities
- HB 1712** - Budget
- HB 1713** - Special Standing Committee on Disability Services

HB 1714 - Special Standing Committee on Disability Services
HB 1722 - Higher Education
HB 1731 - Veterans

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 1337 - Health Care Policy
HB 1435 - Children and Families

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1029**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1030**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 47**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1300**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1317**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1318**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1108**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **1341**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1037**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1106**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1114**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1131**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1193**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1220**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1344**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1344**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1441**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2014**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1735, introduced by Representative Dieckhaus, relating to a scholarship program for unaccredited school districts.

HB 1736, introduced by Representatives Dieckhaus, Jones (89), Tilley and Scharnhorst, relating to school operations.

HB 1737, introduced by Representative Gatschenberger, relating to the designation of a memorial highway.

HB 1738, introduced by Representative Grisamore, relating to lift accessible parking.

HB 1739, introduced by Representatives Holsman, Wyatt, Berry and Talboy, relating to restrictions by homeowners' associations.

HB 1740, introduced by Representative Dieckhaus, relating to school operations.

HB 1741, introduced by Representative Leara, relating to retirement of education employees.

HB 1742, introduced by Representatives Rowland, Lichtenegger, Houghton, Lant, Entlicher, Crawford, Weter, Wells, Phillips, Lair, Reiboldt, Hampton, Solon, Elmer, Sater and Kelly (24), relating to recognition of the Northern Chickamauga Indian Nation as a tribe.

HB 1743, introduced by Representatives Kelley (126), Black, Hubbard, Nasheed, Reiboldt, Casey and Brattin, relating to the sex offender registry.

HB 1744, introduced by Representatives Kelley (126), Bahr, Sommer, Haefner, Johnson, Taylor, Swinger, Entlicher, Berry and Brattin, relating to the designation of pancreatic cancer awareness month.

HB 1745, introduced by Representative Gosen, relating to right of intervention by insurers in certain civil actions.

HB 1746, introduced by Representatives Wells, Dugger, Entlicher, Fisher, Pollock, Smith (150), Schatz, Schoeller and Loehner, relating to licensure of livestock slaughter and processing plants.

HB 1747, introduced by Representatives Wells, Dugger, Entlicher, Fisher, Pollock, Nolte, Smith (150), Schatz, Schoeller, Loehner, Kelley (126), Molendorp, Ruzicka, Torpey, Guernsey, Diehl, Haefner, Davis, White, Lant, Sommer, Lichtenegger, Zerr, McCaherty, Brandom, Rowland, Parkinson, Nance, Weter, Johnson, Cauthorn, Korman, Leara, McNary, Schieber, Hodges, Schad, Cookson, Scharnhorst, Brattin, Koenig, Jones (117), Long, Conway (14), Schneider, Phillips, Meadows, Funderburk, Hinson, Fraker, Keeney, Klippenstein, Sater, Crawford, Swinger, Fallert, Schieffer, Tilley, McGhee, Brown (116), Gatschenberger, Hough, Black, Webber, Cross, Wright, Jones (89), Bernskoetter, Cox and Thomson, relating to weapons.

HB 1748, introduced by Representative Walton Gray, relating to abandoned property.

HB 1749, introduced by Representatives Lasater and Burlison, relating to fines for failing to yield the right-of-way.

HB 1750, introduced by Representatives Webber, Still, Quinn, Kelly (24) and Jones (117), relating to the multijurisdictional internet cyber crime law enforcement task force.

HB 1751, introduced by Representatives Pollock, Wells and Dugger, relating to assessment of electric utilities.

HB 1752, introduced by Representative Cauthorn, relating to environmental control rules.

HB 1753, introduced by Representative Cauthorn, relating to lands owned by resident aliens.

HB 1754, introduced by Representative Cox, relating to judicial circuits.

HB 1755, introduced by Representative Weter, relating to the mandatory offering of sinkhole insurance coverage for property damage caused by sinkhole activity.

HB 1756, introduced by Representatives Kander, Carter, Still, McManus, Newman, Quinn, Walton Gray, Black, Pace, McCreery, Swearingen, Lampe, Casey, Conway (27) and Schupp, relating to ethics.

HB 1757, introduced by Representative Grisamore, relating to the reporting of missing and dead children.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:00 a.m., Thursday, February 16, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 21, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1363, HB 1364, HB 1462

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 16, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommended changes to HB's 2010 and 2011 will be considered.

BUDGET

Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
FY 2013 Budget overview by State Budget Director.
Recommendations from Appropriation Committees.

BUDGET

Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.

BUDGET

Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 21, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1052,
Executive session will be held: HB 1046
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 21, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1524
Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, February 20, 2012, Upon Evening Adjournment House Hearing Room 5.
Executive session will be held: HCS HB 1344, HB 1273, HB 1466
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 16, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1637, HB 1542, HB 1218,
Executive session will be held: HB 1381
Executive session may be held on any matter referred to the committee.
HB 1489 has been removed.

AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 20, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1367, HB 1403
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 16, 2012

HOUSE BILLS FOR SECOND READING

HB 1735 through HB 1757

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 45 - Solon
- 2 HCS HJR 61 - Loehner

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1186 & 1147 - Parkinson
- 2 HCS HBs 1298 & 1180, as amended - Parkinson
- 3 HCS HB 1308 - Wells
- 4 HB 1349 - Jones (117)
- 5 HCS HB 1442 - Smith (150)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/14/2012)

- 1 HCS HB 1059 - Dugger
- 2 HB 1107 - Dugger
- 3 HB 1112 - Gosen
- 4 HB 1128 - Largent
- 5 HB 1188 - Allen
- 6 HB 1347 - Franz
- 7 HCS HB 1457 - Crawford
- 8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HB 1103 - Crawford
- 3 HB 1192 - Koenig
- 4 HB 1041, E.C. - Thomson

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 16, 2012

The House met pursuant to adjournment.

Representative Schad in the Chair.

Prayer by Msg. Robert A. Kurwicki, Chaplain.

*He that dwelleth in the secret place of the Most High shall abide under the shadow of the Almighty.
(Psalm 91:1)*

O God, Who is a tower of strength to all Who put their trust in You, help us to turn from the noise and clamor of the world, and to find peace in the assurance of Your presence. Keep us sensitive to the needs of others, understanding amid our differences, and determined to live in the spirit of good will. May we ever be mindful of the fact that we are one family in You, and in this oneness may we do our work and live our lives.

Our minds and hearts reach out in prayer for those in the Armed Forces of our country. Keep them strong in temptations, resolute in duty, and faithful to You, Who is ever with them and with us. Lord God of Hosts, be with us all - lest we forget, lest we forget You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Megan Crocker, Cailin Mooney, RaeAnn Fooks, Grace Griffin, Alex Standgard, Grant Argent, Ryan Sparks, Daniel Xiang, Andrew Chaffin, Nathan Dennigmann, Drew Brissette, Connor Cantwell and Anders Stenstadvolden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 697 through House Resolution No. 704

SECOND READING OF HOUSE BILLS

HB 1735 through **HB 1757** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 41 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1290 - Special Standing Committee on Renewable Energy

HB 1592 - Economic Development

HB 1711 - Health Insurance

HB 1723 - Economic Development

HB 1754 - Special Standing Committee on Judicial Reform

COMMITTEE REPORT

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1576**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1758, introduced by Representatives Long, Richardson, Higdon and Grisamore, relating to rights of persons with parental relationships.

HB 1759, introduced by Representatives Brown (116) and Smith (150), relating to outboard motors.

HB 1760, introduced by Representatives Anders, McGeoghegan, Lampe, Harris, Kratky, Fallert, Casey, Swinger, Quinn, Newman, Carlson, Ellinger, Morgan, Rowland and McDonald, relating to marshals in fourth class cities.

HB 1761, introduced by Representatives Ellington, Montecillo, Pace, Hubbard, Rizzo, Swearingen, McGeoghegan, Morgan, Walton Gray, Torpey, Neth, Nasheed, Jones (63), Still, Tilley, Carter, McCann Beatty, Pierson, Lasater and Sifton, relating to statute of limitations for certain offenses against a child.

HB 1762, introduced by Representatives Ellington, McGeoghegan, Hubbard, Pace, Atkins, Oxford, Morgan, Walton Gray, Nasheed, Jones (63), Carter, McCann Beatty, Pierson and Brown (50), relating to applications for state employment and public assistance.

HB 1763, introduced by Representatives Ellington, Hubbard, Smith (71), Carter, Hughes, McCann Beatty, Fitzwater, Ellinger, Pace, Morgan, Harris, Taylor, Rizzo, Talboy, Colona, Webb, Montecillo, Walton Gray, Nasheed, Jones (63), Pierson, May and Brown (50), relating to the Malcolm X observance day commission.

HB 1764, introduced by Representative Bernskoetter, relating to service salary increases for corrections officers.

HB 1765, introduced by Representatives Smith (71), Oxford, Jones (63), Pierson, Hughes, Ellington, Sifton, Pace, Montecillo, McGeoghegan, Kirkton, Hummel, Walton Gray, Hodges, Ellinger, May, McCann Beatty, Hubbard, Nasheed, Webb, Brown (50) and Taylor, relating to the Rosa Parks observance day commission.

HB 1766, introduced by Representative Schneider, relating to complaints against real estate appraisers.

RECESS

Representative Schad moved that the House stand in recess until messages are received from the Senate, and then stand adjourned until 10:00 a.m., Friday, February 17, 2012.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 15**.

SENATE CONCURRENT RESOLUTION NO. 15

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be \$6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 450**, entitled:

An act to repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to school directors in urban districts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 455**, entitled:

An act to repeal sections 173.005 and 173.040, RSMo, and to enact in lieu thereof two new sections relating to duties prescribed to the coordinating board for higher education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 469**, entitled:

An act to repeal sections 536.041, 536.087, and 536.325, RSMo, and to enact in lieu thereof five new sections relating to administrative procedures and review.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 485**, entitled:

An act to repeal sections 430.020 and 430.082, RSMo, and to enact in lieu thereof two new sections relating to statutory liens against personalty.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 498**, entitled:

An act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 572**, entitled:

An act to repeal sections 287.067, 287.120, 287.150, and 287.240, RSMo, and to enact in lieu thereof four new sections relating to workers' compensation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 594**, entitled:

An act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to the no-call list.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 611**, entitled:

An act to amend chapter 304, RSMo, by adding thereto one new section relating to the establishment of minimal yellow light change interval times for traffic control devices.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 773**, entitled:

An act to repeal sections 115.345 and 115.349, RSMo, and to enact in lieu thereof two new sections relating to primary elections, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Allen, Atkins, Bahr, Barnes, Berry, Brandom, Brown (50), Casey, Conway (14), Conway (27), Cookson, Curtman, Dieckhaus, Diehl, Ellinger, Ellington, Fallert, Fisher, Flanigan, Franklin, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Harris, Higdon, Hodges, Holsman, Hubbard, Hughes, Jones (89), Kelley (126), Kelly (24), Kirkton, Koenig, Korman, Kratky, Lair, Lampe, Leach, Lichtenegger, Marshall, May, McCann Beatty, McDonald, McGhee, McManus, McNeil, Meadows, Molendorp, Montecillo, Morgan, Nance, Nasheed, Neth, Newman, Oxford, Pace, Rizzo, Scharnhorst, Schieffer, Schneider, Smith (71), Smith (150), Sommer, Spreng, Still, Stream, Swearingen, Swinger, Talboy, Taylor, Thomson, Tilley, Wallingford, Walton Gray, Webb, White and Zerr.

ADJOURNMENT

Pursuant to the motion of Representative Schad, the House adjourned until 10:00 a.m., Friday, February 17, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 21, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1363, HB 1364, HB 1462

Executive session may be held on any matter referred to the committee.

BUDGET

Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

FY 2013 Budget overview by State Budget Director.

Recommendations from Appropriation Committees.

BUDGET

Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommendations from Appropriation Committees.

BUDGET

Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommendations from Appropriation Committees.

CORRECTED

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 20, 2012, 1:00 PM House Hearing Room 3.

Public hearing will be held: HB 1292, HB 1167, HB 1196

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 21, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1052

Executive session will be held: HB 1046

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 21, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1081, HB 1158, HB 1050, HB 1533

Executive session will be held: HB 1081

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 21, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1722

Executive session will be held: HB 1216, HB 1502

Executive session may be held on any matter referred to the committee.

RULES

Monday, February 20, 2012, Upon Afternoon Adjournment House Hearing Room 4.

Public hearing will be held: HCR 41

Executive session will be held: HCR 41

RULES - PURSUANT TO RULE 25(32)(F)

Monday, February 20, 2012, Upon Afternoon Adjournment House Hearing Room 4.

Executive session may be held on any or all bills referred to this committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 21, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1524, HJR 59

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 20, 2012, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 1651, HB 1652, HB 1713, HB 1714

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 20, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1290, HB 1305

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, February 20, 2012, Upon Evening Adjournment House Hearing Room 5.

Executive session will be held: HCS HB 1344, HB 1273, HB 1466

Executive session may be held on any matter referred to the committee.

VETERANS

Monday, February 20, 2012, 2:00 PM House Hearing Room 5.

Public hearing will be held: HB 1731

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 21, 2012, 8:30 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Executive session only.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 20, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1367, HB 1403

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SIXTH DAY, FRIDAY, FEBRUARY 17, 2012

HOUSE BILLS FOR SECOND READING

HB 1758 through HB 1766

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 45 - Solon
- 2 HCS HJR 61 - Loehner
- 3 HCS HJR 41 - Nasheed

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2014 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1186 & 1147 - Parkinson
- 2 HCS HB 1298 & 1180, as amended - Parkinson
- 3 HCS HB 1308 - Wells
- 4 HB 1349 - Jones (117)
- 5 HCS HB 1442 - Smith (150)
- 6 HCS HB 1106 - Dugger
- 7 HCS HB 1193 - Frederick
- 8 HCS HB 1220 - Hubbard

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1131 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/14/2012)

- 1 HCS HB 1059 - Dugger
- 2 HB 1107 - Dugger
- 3 HB 1112 - Gosen
- 4 HB 1128 - Largent
- 5 HB 1188 - Allen

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- 6 HB 1347 - Franz
- 7 HCS HB 1457 - Crawford
- 8 HB 1517 - Nolte

(2/17/2012)

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter
- 3 HB 1441 - Fisher

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HB 1103 - Crawford
- 3 HB 1192 - Koenig
- 4 HB 1041, E.C. - Thomson

SENATE BILLS FOR SECOND READING

- 1 SB 450 - Rupp
- 2 SB 455 - Pearce
- 3 SS SCS SB 469 - Dixon
- 4 SCS SB 485 - Cunningham
- 5 SCS SB 498 - Munzlinger
- 6 SS SCS SB 572 - Dempsey
- 7 SB 594 - Kraus
- 8 SB 611 - Lembke
- 9 SCS SB 773 - Parson

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SIXTH DAY, FRIDAY, FEBRUARY 17, 2012

The House met pursuant to adjournment.

Representative Dieckhaus in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILLS

HB 1758 through **HB 1766** were read the second time.

SECOND READING OF SENATE BILLS

SB 450, SB 455, SS SCS SB 469, SCS SB 485, SCS SB 498, SS SCS SB 572, SB 594, SB 611 and **SCS SB 773** were read the second time.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 773 - Elections

COMMITTEE REPORT

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1072**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1767, introduced by Representatives Allen and Flanigan, relating to cyber crime investigation.

The following members' presence was noted: Barnes, Smith (71) and Still.

ADJOURNMENT

On motion of Representative Dieckhaus, the House adjourned until 4:00 p.m., Monday, February 20, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, February 21, 2012, 8:00 AM House Hearing Room 4.

Public hearing will be held: HCR 11, HCR 30, HB 1271, HB 1477, HB 1688

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 21, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1363, HB 1364, HB 1462

Executive session may be held on any matter referred to the committee.

BUDGET

Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

FY 2013 Budget overview by State Budget Director.

Recommendations from Appropriation Committees.

BUDGET

Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommendations from Appropriation Committees.

BUDGET

Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommendations from Appropriation Committees.

CORRECTED

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 20, 2012, 1:00 PM House Hearing Room 3.

Public hearing will be held: HB 1292, HB 1167, HB 1196

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 21, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1455

Executive session may be held on any matter referred to the committee.

Work session, continued. (No public testimony during work session.)

ELECTIONS

Monday, February 20, 2012, 3:00 PM House Hearing Room 6.

Public hearing will be held: SCS SB 773

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 21, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1052

Executive session will be held: HB 1046

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Monday, February 20, 2012, 7:00 PM House Hearing Room 1.

Public hearing will be held: HB 1376, HCR 9

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 22, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 25, HB 1337, HB 1407, HB 1529

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 21, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1081, HB 1158, HB 1050, HB 1533

Executive session will be held: HB 1081

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 21, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1722

Executive session will be held: HB 1216, HB 1502

Executive session may be held on any matter referred to the committee.

RULES

Monday, February 20, 2012, Upon Afternoon Adjournment House Hearing Room 4.

Public hearing will be held: HCR 41

Executive session will be held: HCR 41

RULES - PURSUANT TO RULE 25(32)(F)

Monday, February 20, 2012, Upon Afternoon Adjournment House Hearing Room 4.

Executive session may be held on any or all bills referred to this committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 21, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1524, HJR 59

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 20, 2012, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 1651, HB 1652, HB 1713, HB 1714

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, February 21, 2012, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 1754

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 20, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1290, HB 1305

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 1221, HB 1511, HB 1687, HB 1684, HB 1694, HB 1612, HB 1668, HB 1640

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, February 21, 2012, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 1630, HB 1613, HB 1213, HB 1117

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, February 20, 2012, Upon Evening Adjournment House Hearing Room 5.

Executive session will be held: HCS HB 1344, HB 1273, HB 1466

Executive session may be held on any matter referred to the committee.

VETERANS

Monday, February 20, 2012, 2:00 PM House Hearing Room 5.

Public hearing will be held: HB 1731

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 21, 2012, 8:30 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Executive session only.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 20, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1367, HB 1403

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SEVENTH DAY, MONDAY, FEBRUARY 20, 2012

HOUSE BILLS FOR SECOND READING

HB 1767

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 45 - Solon
- 2 HCS HJR 61 - Loehner
- 3 HCS HJR 41 - Nasheed

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2014 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1186 & 1147 - Parkinson
- 2 HCS HBs 1298 & 1180, as amended - Parkinson
- 3 HCS HB 1308 - Wells
- 4 HB 1349 - Jones (117)
- 5 HCS HB 1442 - Smith (150)
- 6 HCS HB 1106 - Dugger
- 7 HCS HB 1193 - Frederick
- 8 HCS HB 1220 - Hubbard

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1131 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/14/2012)

- 1 HCS HB 1059 - Dugger
- 2 HB 1107 - Dugger
- 3 HB 1112 - Gosen
- 4 HB 1128 - Largent
- 5 HB 1188 - Allen
- 6 HB 1347 - Franz
- 7 HCS HB 1457 - Crawford
- 8 HB 1517 - Nolte

(2/17/2012)

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter
- 3 HB 1441 - Fisher

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HB 1103 - Crawford
- 3 HB 1192 - Koenig
- 4 HB 1041, E.C. - Thomson

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, MONDAY, FEBRUARY 20, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

Dear LORD, through Your servants You have revealed that You are “a God of truth and without injustice” (Deuteronomy 32:4a); that You are “abounding in loving-kindness and truth” (Exodus 34:6); that Your words are truth (2 Samuel 7:28) and that it is impossible for You to lie (Hebrews 6:18).

We also know, O LORD, that You want people to “speak the truth to one another” and to “judge with truth” (Zechariah 8:16b) and that “You desire truth in the innermost being...” (Psalm 51:6a)

“Loyalty and truth preserve the king, and he upholds his throne by righteousness” (Proverbs 20:28).

O LORD, may this place be a place of truth. May these, Your servants who lead our state, be people of truth. May we all repent of our falsehoods. May we all see and know that so much is lost and nothing really gained when we seek to deceive and distort. Give to each of us – legislators, staff, lobbyists, guests and pastors – a heart that desires and is able to speak the truth in love; for the good of all people and for the glory of Your name.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son’s name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emma Grace Winschel, Elizabeth Rose Winschel, Caroline Renee Winschel, Olivia Korpecki and John Korpecki.

The Journal of the twenty-fourth day was approved as printed.

The Journal of the twenty-fifth day was approved as printed.

The Journal of the twenty-sixth day was approved as printed.

HOUSE RESOLUTION

Representative Bernskoetter offered House Resolution No. 729.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 705 through House Resolution No. 728

House Resolution No. 730 through House Resolution No. 745

SECOND READING OF HOUSE BILL

HB 1767 was read the second time.

Speaker Pro Tem Schoeller assumed the Chair.

THIRD READING OF HOUSE BILLS

HB 1103, relating to appraisal management company notices, was taken up by Representative Crawford.

On motion of Representative Crawford, **HB 1103** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen

Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Carter	Frederick	Hughes	Jones 63
Kander	May	Molendorp	Quinn	Schneider
Still	Webb			

Speaker Pro Tem Schoeller declared the bill passed.

HB 1192, relating to a higher education savings plan, was taken up by Representative Koenig.

On motion of Representative Koenig, **HB 1192** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Aull	Brown 116	Carter	Frederick	Hughes
Jones 63	Kander	Largent	May	Molendorp
Quinn	Schneider	Still	Webb	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1041, relating to state university property transfers, was taken up by Representative Thomson.

On motion of Representative Thomson, **HB 1041** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 001

Schatz

PRESENT: 000

ABSENT WITH LEAVE: 018

Aull	Brown 116	Carter	Day	Diehl
Frederick	Hughes	Jones 63	Kander	Largent
McGhee	Molendorp	Nolte	Quinn	Schneider
Still	Webb	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 008

Colona	Kirkton	Lasater	Marshall	McCreery
Newman	Schatz	Taylor		

PRESENT: 000

ABSENT WITH LEAVE: 018

Aull	Brown 116	Carter	Cookson	Diehl
Frederick	Hughes	Jones 63	Kander	Largent
McGhee	Molendorp	Nolte	Quinn	Schneider
Still	Webb	Mr Speaker		

PERFECTION OF HOUSE BILL

HCS HBs 1186 & 1147, relating to English only driver's examinations, was taken up by Representative Parkinson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brown 116	Carter	Frederick	Hughes
Jones 63	Kander	Largent	Lauer	Molendorp
Pollock	Quinn	Schneider	Still	Webb

On motion of Representative Parkinson, **HCS HBs 1186 & 1147** was adopted.

On motion of Representative Parkinson, **HCS HBs 1186 & 1147** was ordered perfected and printed by the following vote:

AYES: 091

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Nance	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Schatz	Schieffer	Schoeller
Shively	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 059

Anders	Atkins	Barnes	Berry	Black
Brown 50	Carlson	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Gosen	Harris
Holsman	Hough	Hubbard	Hummel	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Rizzo	Sater
Scharnhorst	Schieber	Schupp	Shumake	Sifton
Smith 71	Spreng	Swearingen	Talboy	Taylor
Torpey	Walton Gray	Webber	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Brown 116	Carter	Frederick	Hughes
Jones 63	Kander	Largent	Molendorp	Quinn
Schneider	Still	Webb		

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 61, relating to the right to raise livestock, was taken up by Representative Loehner.

On motion of Representative Loehner, **HCS HJR 61** was adopted.

On motion of Representative Loehner, **HCS HJR 61** was ordered perfected and printed.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 8, relating to agriculture land values, was taken up by Representative Guernsey.

HCR 8 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1623 - Economic Development
HB 1649 - Professional Registration and Licensing
HB 1735 - Elementary and Secondary Education
HB 1736 - Elementary and Secondary Education
HB 1740 - Elementary and Secondary Education
HB 1758 - Judiciary

COMMITTEE REPORTS

Committee on Administration and Accounts, Chairman McGhee reporting:

Mr. Speaker: Your Committee on Administration and Accounts, to which was referred **HR 89**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE RESOLUTION NO. 89

WHEREAS, Section 21.155, RSMo, provides that the House of Representatives may, by resolution, continue in employment such number of efficient employees after any adjournment of a regular session or sine die adjournment of the General Assembly as may be necessary for operation of the House; and

WHEREAS, the House of Representatives will have need for secretarial, administrative, and research, budget, and support staff after the adjournment of the House on May 18, 2012; and

WHEREAS, employees of the House of Representatives are designated and funded through appropriations, including those employees who may be needed for veto, special, or extraordinary sessions of the House:

NOW, THEREFORE, BE IT RESOLVED that Missouri House of Representatives, Ninety-sixth General Assembly, may employ for the period between May 18, 2012, and January 9, 2013, such employees as are necessary to perform the duties of the House, not to exceed that amount authorized pursuant to appropriation. Such employees

shall include necessary secretarial, administrative, and research, budget, and support staff personnel appointed by the Speaker whose terms of employment are established by the Committee on Administration and Accounts.

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution.

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1212**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1525**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 773**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1165**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1512**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 41

WHEREAS, under Section 2713 of the federal Patient Protection and Affordable Care Act of 2010 health insurers must cover "preventive services" for women without charging a co-pay beginning August 1, 2012; and

WHEREAS, Health and Human Services Secretary Kathleen Sebelius defined these preventive services to include "all FDA-approved forms of contraception, sterilization procedures and patient education and counseling"; and

WHEREAS, regulations announced last year (Interim Final Rule 76 FR 46621, August 3, 2011) provided an exemption for certain religious employers regarding contraception. At that time, it was unclear if the religious exemption applied to entities operated by religious organizations that employed or served people from a variety of faiths or had no religious affiliation at all; and

WHEREAS, on January 20, 2012, Secretary Sebelius said this mandate would take effect in August for most employers. Churches would be exempted from the rule, but not religious affiliated hospitals, colleges, or charities, though they would be given an extra year to comply; and

WHEREAS, Obama administration officials said that 28 states, including California and New York, already have similar rules for health insurance; and

WHEREAS, on Friday, February 10, 2012, President Obama announced a compromise that would exempt churches, other houses of worship, and similar organizations from covering contraception on the basis of their religious objections, and would provide a one-year transition period for religious organizations while this policy is being implemented; and

WHEREAS, the Obama administration also announced that sometime in the upcoming year it will propose and finalize a new regulation to address the religious objections of the non-exempted religious organizations. The new regulation will require insurance companies to cover contraception if the non-exempted religious organization chooses not to. Under the compromise:

- (1) Religious organizations would not have to provide contraception coverage or refer their employees to organizations that provide contraception;
 - (2) Religious organizations would not be required to subsidize the cost of contraception;
 - (3) Contraception coverage would be offered to women by their employers' insurance companies directly, with no role for religious employers who oppose contraception;
 - (4) Insurance companies would be required to provide contraception coverage to these women free of charge;
- and

WHEREAS, the Missouri General Assembly has a solemn duty and obligation to uphold the laws of the State of Missouri, and to take all steps necessary and legal to stop any infringement upon the protected rights of Missouri citizens; and

WHEREAS, the people of the State of Missouri adopted Section 1.330, RSMo, by referendum, Proposition C, on August 3, 2010, which states in part:

"1.330. 1. No law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in any health care system."; and

WHEREAS, in accordance with Section 1.330:

- (1) No employee, self-employed person, or any other person should be compelled to obtain coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employee or person; and
- (2) No employer, health plan provider, health plan sponsor, health care provider, or any other entity should be compelled to provide coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employer, health plan provider, health plan sponsor, health care provider, or entity; and
- (3) No governmental entity, public official, or entity acting in a governmental capacity should be permitted to discriminate against or penalize a health plan, plan sponsor, health care provider, employer, employee, or other entity or person because of such plan's, sponsor's, provider's, employer's, employee's, entity's, or person's unwillingness, based on religious beliefs or moral convictions, to provide or obtain coverage for, participate in, or refer for, abortion, contraception, or sterilization in a health plan; and

WHEREAS, the most recent regulation under the federal Patient Protection and Affordable Care Act (PPACA) will require religious hospitals and institutions to choose between offering insurance coverage to their employees which provide birth control, sterilization procedures, and abortifacients, such as the "morning after pill", services which are contrary to the religious tenets and beliefs of the Catholic Church, other churches, and religious organizations who operate such hospitals and institutions, or decide not to provide health insurance coverage to their employees and pay the penalty imposed under PPACA; and

WHEREAS, the compromise announced by President Barack Obama on February 10, 2012, does not resolve the issue for the Catholic Church, other churches, and many religious organizations because it failed to address several important issues, such as self insurers, conscience objections of individuals, and states' rights; and

WHEREAS, in many religious hospitals and institutions, the Catholic Church, other churches, or religious organizations are self insured, which once again forces them to make an unnecessary choice in violation of their religious liberties; and

WHEREAS, even if the Catholic Church, other churches, or religious organizations do not self insure, the transfer of responsibility to the insurer of providing these services free of charge under the announced compromise will likely be passed on to employers in the form of higher premiums to cover the cost to the insurer, which forces these churches and institutions to indirectly pay for these mandates through their premiums in violation of their religious liberties; and

WHEREAS, religious liberty is a fundamental principle in our nation and state that must be protected. The intrusion of the federal government into our health care choices by creating a health care mandate which forces not only the Catholic Church, other churches, and religious organizations, but also any person with deeply held religious beliefs to violate their conscience or be subject to a penalty is unacceptable in a free society; and

WHEREAS, under the Tenth Amendment to the United States Constitution, the State of Missouri and every other state in the nation has the right to enact laws which prohibit the infringement of the federal government into the lives and affairs of its citizens in areas which are not expressly provided to the federal government under the United States Constitution; and

WHEREAS, Missouri has enacted legislation which directly contradicts the mandates contained in the federal Patient Protection and Affordable Care Act of 2010; and

WHEREAS, the Missouri General Assembly takes a firm and unwavering stand against an unconstitutional infringement on the right of the State of Missouri and its citizens not to be forced to participate in any health care system which is contrary to the laws of the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby declare the firm and unwavering stand of the Missouri General Assembly to strongly oppose the federal health care mandates contained in the Patient Protection and Affordable Care Act of 2010, including the most recent regulation requiring the provision of preventive services, as an infringement of the rights of the State of Missouri and a violation of state law; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly affirms the right of each state under the Tenth Amendment of the United States Constitution to enact laws which prohibit the unconstitutional infringement of the federal government into the lives and affairs of the states in areas which are not expressly provided to the federal government; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly urges and encourages the members of the Missouri Congressional delegation to write letters to Secretary Sebelius to express opposition to this new regulation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Kathleen Sebelius, Secretary of the Department of Health and Human Services, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1174**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 1059, HB 1107, HB 1112, HB 1128, HB 1188, HB 1347, HCS HB 1457** and **HB 1517**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 82, introduced by Representatives Wyatt, Curtman, Burlison, Haefner, Koenig and Leach, relating to the commission on retirement, removal, and discipline.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1768, introduced by Representative Hinson, relating to statewide 911 service.

HB 1769, introduced by Representative Jones (117), relating to funeral directors.

HB 1770, introduced by Representative Jones (117), relating to the sale of preneed funeral contracts.

HB 1771, introduced by Representatives Solon, Oxford, Barnes, Conway (14) and Leach, relating solely to public notice before the issuance of municipal or local appropriation bonds.

HB 1772, introduced by Representatives Parkinson, Barnes, Smith (150), Solon, Flanigan, Ellinger and Oxford, relating solely to due diligence procedures by the department of economic development.

HB 1773, introduced by Representatives Barnes, Kelly (24), Long, Ellinger, Parkinson, Smith (150), Solon, Flanigan and Oxford, relating solely to due diligence duties of third-party professionals in municipal or local government appropriation bonds.

HB 1774, introduced by Representatives Barnes, Ellinger, Parkinson and Solon, relating solely to municipal and local government appropriations bonds and procedures of the department of economic development.

HB 1775, introduced by Representatives Barnes, Kelly (24), Ellinger, Richardson, Long, Parkinson, Smith (150), Solon, Flanigan and Oxford, relating solely to the sharing of information for economic development incentives.

HB 1776, introduced by Representatives Barnes, Kelly (24), Flanigan, Ellinger, Solon and Oxford, relating solely to local government appropriation bonds.

HB 1777, introduced by Representatives Barnes and Ellinger, relating solely to consulting contracts with the department of economic development.

HB 1778, introduced by Representatives Hoskins, Largent and McGhee, relating to the designation of the state historical dog.

HB 1779, introduced by Representative Flanigan, relating to tax increment financing for redevelopment of disaster areas.

HB 1780, introduced by Representatives Hinson, Gatschenberger, Cierpiot, Conway (27) and Taylor, relating to statewide 911 service.

HB 1781, introduced by Representative Nasheed, relating to candidates for public office.

HB 1782, introduced by Representatives Fitzwater, Cookson, Fisher, Marshall, Keeney, Lasater, Bahr, Fraker, Burlison, Torpey, Grisamore, Meadows, McGeoghegan, Harris, Swearingen, Montecillo, Rizzo, Schieber, Kelley (126), Reiboldt, Davis, Crawford, Entlicher, Solon, Wallingford, Shumake, Wells, Weter, Smith (150), Hampton, Cross and Dugger, relating to the designation of a memorial highway.

HB 1783, introduced by Representatives Brown (50), Walton Gray, Oxford and Black, relating to obesity.

WITHDRAWAL OF HOUSE BILL

February 6, 2012

Dear Speaker Tilley,

I have filed **House Bill No. 1379** to allow certain business subscribers to place their telephone numbers on the state No-Call list. Due to unintended consequences with my bill I wish to retract it.

Thank you for your consideration.

Sincerely,

/s/ Kurt Bahr
Representative
District 19

The following member's presence was noted: Hughes.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 21, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, February 21, 2012, 8:00 AM House Hearing Room 4.

Public hearing will be held: HCR 11, HCR 30, HB 1271, HB 1477, HB 1688

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 21, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1363, HB 1364, HB 1462

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 21, 2012, 2:00 PM House Hearing Room 4.

Meeting with Joe Gillman from DNR about earthquakes and how they affect Missouri.

Sponsored by Appropriations - Agriculture and Natural Resources.

BUDGET

Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

FY 2013 Budget overview by State Budget Director.

Recommendations from Appropriation Committees.

BUDGET

Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommendations from Appropriation Committees.

BUDGET

Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommendations from Appropriation Committees.

CORRECTED

CHILDREN AND FAMILIES

Wednesday, February 22, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1152, HB 1491, HB 1357

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 22, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1551, HB 1647, HB 1190

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, February 23, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HB 1608

Executive session will be held: HB 1094

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 21, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1455

Executive session may be held on any matter referred to the committee.

Work Session, continued. (No public testimony during work session.)

ELECTIONS

Tuesday, February 21, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1052

Executive session will be held: HB 1046

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, February 21, 2012, 3:00 PM House Hearing Room 5.

Public hearing will be held: HB 1740

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 22, 2012, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

EXECUTIVE SESSION

GENERAL LAWS

Tuesday, February 21, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1326, HB 1319, HB 1369, HB 1045, HB 1621

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH CARE POLICY

Wednesday, February 22, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 25, HB 1337, HB 1407, HB 1529

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 21, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1081, HB 1158, HB 1050, HB 1533

Executive session will be held: HB 1081

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 21, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1722

Executive session will be held: HB 1216, HB 1502

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 1, 2012, 8:30 AM Senate Lounge.

Informational meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications.

LOCAL GOVERNMENT

Wednesday, February 22, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1307, HB 1494, HB 1573, HB 1562, HB 1552

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 22, 2012, 6:30 PM 2125 Missouri Blvd.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 22, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1649

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Tuesday, February 21, 2012, 5:00 PM House Hearing Room 6.

Executive session may be held on any or all bills that may be referred to this committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 21, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1524, HJR 59

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, February 21, 2012, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 1754

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 23, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 32, HB 1634

Executive session may be held on any matter referred to the committee.

Division of Tourism will be presenting their annual report to the committee during the second hour of the meeting.

TRANSPORTATION

Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 1221, HB 1511, HB 1687, HB 1684, HB 1694, HB 1612, HB 1668, HB 1640

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, February 21, 2012, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 1630, HB 1613, HB 1213, HB 1117

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, February 21, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1289, HB 1691

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 21, 2012, 8:30 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Executive session only.

HOUSE CALENDAR

TWENTY-EIGHTH DAY, TUESDAY, FEBRUARY 21, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 82

HOUSE BILLS FOR SECOND READING

HB 1768 through HB 1783

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 45 - Solon

2 HCS HJR 41 - Nasheed

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2014 - Silvey

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1298 & 1180, as amended - Parkinson

2 HCS HB 1308 - Wells

3 HB 1349 - Jones (117)

- 4 HCS HB 1442 - Smith (150)
- 5 HCS HB 1106 - Dugger
- 6 HCS HB 1193 - Frederick
- 7 HCS HB 1220 - Hubbard
- 8 HCS HB 1174 - Lair

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1131 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/17/2012)

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter
- 3 HB 1441 - Fisher

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1059 - Dugger
- 2 HB 1107 - Dugger
- 3 HB 1112 - Gosen
- 4 HB 1128 - Largent
- 5 HB 1188 - Allen
- 6 HB 1347 - Franz
- 7 HCS HB 1457 - Crawford
- 8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 12, (2/7/12, Page 251) - Davis
- 2 HCR 41, (2/20/12) - Curtman

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, TUESDAY, FEBRUARY 21, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Commit thy works unto the Lord, and thy thoughts shall be established. (Proverbs 16:3)

Eternal God, as we bow before the altar of prayer on Mardi Gras, grant unto us a realization of Your presence and the assurance that as we face the demanding duties of these days that You are with us. As we turn to You, may we find wisdom to make wise decisions, strength to stand for what is good for all, and good will to motivate all our endeavors.

May we think of You - not only this moment - but throughout this day, and from these moments may there come a confidence and courage which will enable us to lead our state to better days and to a greater spirit between our people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelsey Cochran and Kristen Cochran.

The Journal of the twenty-seventh day was approved as printed.

SPECIAL RECOGNITION

The 2011-2012 University of Missouri Football Tigers were introduced by Representatives Kelly (24), Still, Webber, Quinn and Cauthorn and were recognized for their 2011 Independence Bowl victory.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 746 through House Resolution No. 775

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 82 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1768 through **HB 1783** were read the second time.

Representative Hoskins assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 8, relating to agriculture land values, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **HCR 8** was read the third time and passed by the following vote:

AYES: 117

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 039

Anders	Atkins	Carlson	Casey	Colona
Ellinger	Ellington	Hubbard	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Swearingen	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 007

Asbury
Quinn

Carter
Webb

Day

Frederick

Holsman

Representative Hoskins declared the bill passed.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 41, relating to General Assembly term limits, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HCS HJR 41** was adopted.

On motion of Representative Nasheed, **HCS HJR 41** was ordered perfected and printed.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 2014 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2014** was adopted.

On motion of Representative Silvey, **HCS HB 2014** was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HCS HJR 41 - Fiscal Review

HJR 61 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1771 - Special Standing Committee on Government Oversight and Accountability

HB 1772 - Special Standing Committee on Government Oversight and Accountability

HB 1773 - Special Standing Committee on Government Oversight and Accountability

HB 1774 - Special Standing Committee on Government Oversight and Accountability

HB 1775 - Special Standing Committee on Government Oversight and Accountability

HB 1776 - Special Standing Committee on Government Oversight and Accountability

HB 1777 - Special Standing Committee on Government Oversight and Accountability

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SB 464 - Health Insurance

SS SCS SB 572 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1073**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1400**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1659** and **HB 1116**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1231**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1345**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was returned **HB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1466**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1296**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1731**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1784, introduced by Representative Bahr, relating to real estate agents.

HB 1785, introduced by Representatives Burlison, Pollock, Davis, White, Entlicher, Crawford, Jones (117), Wieland, Schoeller, Long, Wyatt, Solon, Cookson, Ruzicka, Gatschenberger, Korman, Lasater, Denison, Scharnhorst, Sater, Neth, Bahr, Weter, Funderburk, Hough, Hoskins, Fitzwater and Leach, relating to a special license plate.

HB 1786, introduced by Representatives Burlison, White, Davis, Crawford, Jones (117), Entlicher, Wieland, Schoeller, Long, Wyatt, Cookson, Ruzicka, Gatschenberger, Korman, Lasater, Denison, Scharnhorst, Sater, Neth, Weter, Pollock, Bahr, Hough, Funderburk, Hoskins, Fitzwater and Leach, relating to a special license plate.

HB 1787, introduced by Representative Rizzo, relating to merchants requirement to maintain a list of suppliers for law enforcement purposes.

HB 1788, introduced by Representatives Elmer, Fraker, Funderburk, Jones (117), Long and Lasater, relating to contracts for state projects.

HB 1789, introduced by Representative Schad, relating to travel hardships of public school pupils.

HB 1790, introduced by Representatives Torpey, McGeoghegan, Largent, Cierpiot and Grisamore, relating to admissibility of statements of children.

HB 1791, introduced by Representative Sater, relating to waste management services for state agencies.

HB 1792, introduced by Representative Franz, relating to school-parent communications.

HB 1793, introduced by Representative Johnson, relating to the Missouri international agriculture exchange website.

HB 1794, introduced by Representative Grisamore, relating to the definition of employment under employment security law.

HB 1795, introduced by Representative Ruzicka, relating to solid waste landfill charges.

HB 1796, introduced by Representatives Houghton, Guernsey, Hough, Rowland, Schatz, Neth, Phillips, Asbury, Redmon, Smith (150), Loehner, Riddle, Brown (116) and Crawford, relating to crimes involving agricultural operations.

COMMITTEE CHANGES

February 21, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Kent Hampton from the Special Standing Committee on Renewable Energy and appoint Representative Melissa Leach.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

The following members' presence was noted: Asbury, Day, Holsman, Quinn and Webb.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 22, 2012.

COMMITTEE MEETINGS

BUDGET

Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.

BUDGET

Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.

CANCELLED

CHILDREN AND FAMILIES

Wednesday, February 22, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1152, HB 1491, HB 1357
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 22, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1551, HB 1647, HB 1190, HB 1672
Executive session may be held on any matter referred to the committee.
AMENDED

DOWNSIZING STATE GOVERNMENT

Thursday, February 23, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1608
Executive session will be held: HB 1094
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 22, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
EXECUTIVE SESSION

FISCAL REVIEW

Thursday, February 23, 2012, 8:30 AM South Gallery.
Public hearing will be held: HCS HJR 61
Executive session will be held: HCS HJR 61
Executive session may be held on any matter referred to the committee.
Any and all bills referred to the committee

HEALTH CARE POLICY

Wednesday, February 22, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCR 25, HB 1337, HB 1407, HB 1529
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 7.
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 22, 2012, 5:30 PM 3234 West Truman Blvd., Jefferson City, MO.
Executive session may be held on any matter referred to the committee.
Dinner

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications.

JUDICIARY

Wednesday, February 22, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1636, HB 1615, HB 1560, HB 1208
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 22, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1307, HB 1494, HB 1573, HB 1562, HB 1552
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 22, 2012, 6:30 PM 2125 Missouri Blvd.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 22, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1649
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Thursday, February 23, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 23, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HCR 32, HB 1634
Executive session may be held on any matter referred to the committee.
Division of Tourism will be presenting their annual report to the committee during the second hour of the meeting.

WAYS AND MEANS

Thursday, February 23, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1489, HB 1521, HB 1275

Executive session will be held: HB 1637

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-NINTH DAY, WEDNESDAY, FEBRUARY 22, 2012

HOUSE BILLS FOR SECOND READING

HB 1784 through HB 1796

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1298 & 1180, as amended - Parkinson
- 2 HCS HB 1308 - Wells
- 3 HB 1349 - Jones (117)
- 4 HCS HB 1442 - Smith (150)
- 5 HCS HB 1106 - Dugger
- 6 HCS HB 1193 - Frederick
- 7 HCS HB 1220 - Hubbard
- 8 HCS HB 1174 - Lair

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1131 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/17/2012)

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter
- 3 HB 1441 - Fisher

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61, (Fiscal Review 2/21/12) - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1186 & 1147 - Parkinson

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1059 - Dugger
- 2 HB 1107 - Dugger
- 3 HB 1112 - Gosen
- 4 HB 1128 - Largent
- 5 HB 1188 - Allen
- 6 HB 1347 - Franz
- 7 HCS HB 1457 - Crawford
- 8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 12 - Davis
- 2 HCR 41 - Curtman

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-NINTH DAY, WEDNESDAY, FEBRUARY 22, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is just in all His ways, and kind in all His doings. (Psalm 145:17)

Almighty God, unto Whom all hearts are open, all desires known and from Whom no secrets are hid, cleanse our hearts as we at this moment wait upon You in prayer on this Ash Wednesday. And as we prepare ourselves for the period of Lent, give us grace to recognize the awakening of Your spirit within us and to listen to all You have to say to us. Let us not yield to the temptations of the world, but strong in You may we face our experiences with courage and faith.

In all sincerity do we pray for each other and for all those with whom we associate this day. In our minds may we think of our friends with love, our enemies with forgiveness, and our fellow people with abounding good will. Unto You do we commend ourselves and our state. Together may we walk in the way of Your commandments, speak Your word of love, and obey Your will to serve our people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 776 through House Resolution No. 805

SECOND READING OF HOUSE BILLS

HB 1784 through **HB 1796** were read the second time.

HOUSE CONCURRENT RESOLUTIONS

HCR 12, relating to the designation of the Honor and Remember Flag, was taken up by Representative Davis.

On motion of Representative Davis, **HCR 12** was adopted.

HCR 41, relating to health care mandates, was taken up by Representative Curtman.

Representative Oxford offered **House Amendment No. 1**.*House Amendment No. 1*

AMEND House Concurrent Resolution No. 41, Page 3, Line 74, by inserting after the word “control,” the word “and”; and

Further amend said resolution, Page 3, Line 75, by deleting the words “and abortifacients, such as the “morning after pill”,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Ellinger	Ellington	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Sater
Schupp	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber	Weter		

NOES: 108

Asbury	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Allen	Denison	Frederick	Jones 89	Riddle
Scharnhorst	Wright			

Representative Diehl assumed the Chair.

HCR 41 was laid over.

PERFECTION OF HOUSE BILL

HCS HB 1308, relating to security of moneys, was taken up by Representative Wells.

HCS HB 1308 was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE CONCURRENT RESOLUTION

HCR 41, relating to health care mandates, was again taken up by Representative Curtman.

Representative Diehl resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt

Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 004

Harris	Quinn	Schieffer	Swinger
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ABSENT WITH LEAVE: 005

Dieckhaus	Elmer	Frederick	Holsman	Mr Speaker
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On motion of Representative Curtman, **HCR 41** was adopted by the following vote:

AYES: 114

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 045

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Ellinger	Ellington	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 004

Dieckhaus	Elmer	Frederick	Mr Speaker
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PERFECTION OF HOUSE BILL

HCS HB 1308, relating to securities of money, was again taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 1308** was adopted.

On motion of Representative Wells, **HCS HB 1308** was ordered perfected and printed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HB 1131, relating to withholding form information, was taken up by Representative Fisher.

On motion of Representative Fisher, **HB 1131** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 1059, relating to recount of votes, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1059** was read the third time and passed by the following vote:

AYES: 122

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Kander	Keeney	Kelley 126	Klippenstein	Koenig

Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 032

Anders	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Oxford	Pace	Pierson	Rizzo
Schupp	Smith 71	Spreng	Still	Talboy
Walton Gray	Webb			

PRESENT: 001

Kelly 24

ABSENT WITH LEAVE: 008

Brown 116	Dieckhaus	Frederick	Jones 117	Richardson
Scharnhorst	Schneider	Mr Speaker		

Representative Diehl declared the bill passed.

HB 1107, relating to a Missouri Fox Trotting highway, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1107** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky

Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 150	Solon	Sommer
Spreng	Still	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 012

Carter	Colona	Ellington	Hughes	Hummel
Jones 63	McCann Beatty	McNeil	Newman	Smith 71
Talboy	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Brown 116	Cierpiot	Dieckhaus	Flanigan
Frederick	Hough	Kelly 24	Lampe	Nolte
Schneider	Silvey	Stream	Mr Speaker	

Representative Diehl declared the bill passed.

HB 1112, relating to life insurance companies, was taken up by Representative Gosen.

On motion of Representative Gosen, **HB 1112** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May

McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 001

Hughes

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Brown 116	Day	Dieckhaus	Frederick
Jones 117	Pollock	Richardson	Schneider	Mr Speaker

Representative Diehl declared the bill passed.

HB 1128, relating to National Guard ribbons and awards, was taken up by Representative Largent.

On motion of Representative Largent, **HB 1128** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo

Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 116	Dieckhaus	Frederick	McNary	Schneider
Mr Speaker				

Representative Diehl declared the bill passed.

HB 1188, relating to administration of asthma medication, was taken up by Representative Allen.

On motion of Representative Allen, **HB 1188** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber

Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 116	Cookson	Day	Dieckhaus
Frederick	May	McCreery	Nolte	Scharnhorst
Schneider	Mr Speaker			

Representative Diehl declared the bill passed.

HB 1347, relating to veterans preference in contracts, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1347** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford

Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Brown 116	Day	Dieckhaus	Frederick
Lampe	Scharnhorst	Mr Speaker		

Representative Diehl declared the bill passed.

HCS HB 1457, relating to county treasurer candidates, was taken up by Representative Crawford.

On motion of Representative Crawford, **HCS HB 1457** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 003

Hughes Marshall Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 116	Day	Dieckhaus	Frederick	Jones 89
Lampe	Scharnhorst	Mr Speaker		

Representative Diehl declared the bill passed.

HB 1517, relating to military medallions and medals, was taken up by Representative Nolte.

On motion of Representative Nolte, **HB 1517** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Day	Dieckhaus	Franklin	Franz
Frederick	Lampe	Molendorp	Scharnhorst	Wright
Mr Speaker				

Representative Diehl declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 1442, relating to vacancies in office, was taken up by Representative Smith (150).

Representative Smith (150) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1442, Page 4, Section 105.031, Lines 1 to 10, by removing all of said section from the bill and inserting in lieu thereof the following:

“105.031. In the case of a vacancy for cause in the offices of senator of the United States from this state, lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer, such vacancy shall be filled by a special election called by the governor at the same time as the general election when there is a general election scheduled before the expiration of the term of such offices as required by section 17, article IV, Constitution of Missouri, or Amendment XVII of the Constitution of the United States. If there is no general election scheduled prior to the expiration of the term of such offices, then the acting official appointed by the governor shall serve out the remainder of the full term in office. The candidate elected and qualified at a special election held on the general election day shall take office on January first immediately following such election, and shall relieve any acting official filling such vacancy of the duties of the office.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HCS HB 1442, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1442, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1442 - Fiscal Review
HB 1709 - Economic Development
HB 1710 - Economic Development

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HCS HB 1323**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1577**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1046**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1740**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Animal Agriculture, Chairman Wright reporting:

Mr. Speaker: Your Committee on Emerging Issues in Animal Agriculture, to which was referred **HB 1444**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1337**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1615**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1221**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1261**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1641**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1668**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1687**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 773 - Fiscal Review

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1797, introduced by Representative Johnson, relating to a funeral protest fee.

HB 1798, introduced by Representative Johnson, relating to a tax credit for construction of data centers.

HB 1799, introduced by Representative Colona, relating to custodial interrogations.

HB 1800, introduced by Representative Johnson, relating to a sales tax exemption for farm products sold at farmers' markets.

HB 1801, introduced by Representative Johnson, relating to advertising to attract international businesses to Missouri.

HB 1802, introduced by Representatives Swearingen, Silvey, Neth, Berry and Hummel, relating to sales taxes for public safety.

HB 1803, introduced by Representative Korman, relating to school social workers.

HB 1804, introduced by Representatives Molendorp, Talboy, Holsman, Berry, Brown (50), Rizzo, McDonald, McManus and McCann Beatty, relating to convention and tourism tax exemptions.

HB 1805, introduced by Representatives Brandom, Spreng, Fraker, Jones (63), Nasheed, Loehner, Zerr, Fisher, Shumake, Jones (89), Franklin, Berry, McGhee, Stream, Schneider, Entlicher, White, Allen, Kratky, Pierson, Tilley, Redmon, Houghton, Jones (117), Kelley (126), Conway (14), Johnson, Hough, Carter, Guernsey, Smith (150), Bernskoetter, Burlison, Lasater, Hodges, Nichols, Pace, Walton Gray, Lauer, Brown (116), Weter, Haefner, Meadows, Rizzo, Smith (71), Brown (50) and Silvey, relating to a tax credit for internship programs.

HB 1806, introduced by Representatives Scharnhorst and Jones (89), relating to the duties and liabilities of ski area operators and skiers.

HB 1807, introduced by Representatives Marshall, Higdon and Schieber, relating to the designation of a memorial highway.

HB 1808, introduced by Representatives Carter, Meadows, Fraker, Lasater, Fitzwater, Redmon, Dugger, Lant, Reiboldt, Berry and Jones (63), relating to the transportation of passengers by motor vehicle.

HB 1809, introduced by Representative Wyatt, relating to incorporation of building codes.

HB 1810, introduced by Representatives Jones (89) and Talboy, relating to restricting public contracts with entities that invest in the energy sector in Iran.

HB 1811, introduced by Representative Carter, relating to anatomical gifts.

HB 1812, introduced by Representative Webber, relating to county purchases.

HB 1813, introduced by Representative Sommer, relating to the designation of the official state historical dog of Missouri.

HB 1814, introduced by Representatives Scharnhorst, Koenig and Curtman, relating to lead abatement.

HB 1815, introduced by Representatives Pollock, Wells, Smith (150), Ruzicka, Crawford, Cookson, Sater, Dugger and Weter, relating to use of state park facilities.

HB 1816, introduced by Representative White, relating to health insurance providers.

HB 1817, introduced by Representative Cox, relating to the sentencing advisory commission.

HB 1818, introduced by Representative Schad, relating to residential property.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 23, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 28, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1660

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 29, 2012, 6:30 PM

Shooters Alley Indoor Range.

BUDGET

Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommendations from Appropriation Committees.

CANCELLED

DOWNSIZING STATE GOVERNMENT

Thursday, February 23, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HB 1608

Executive session will be held: HB 1094

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 23, 2012, 8:30 AM South Gallery.

Public hearing will be held: HCS HJR 61

Executive session will be held: HCS HJR 61

Executive session may be held on any and all bills referred to the committee.

HEALTH INSURANCE

Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 1, 2012, 8:30 AM Senate Lounge.

Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications.

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, February 23, 2012, 9:30 AM House Hearing Room 6.

Executive session will be held: HB 1029, HCS HB 1030, HCS HB 1042, HCS HB 1072, HCS HBs 1098 & 1084, HCS HB 1108, HCS HB 1123, HCS HB 1139, HB 1191, HB 1236, HCS HBs 1258, 1259, & 1260, HCS HB 1300, HCS HB 1317, HB 1318, HCS HB 1324, HCS HB 1340, HB 1341, HB 1404, HB 1431, HCS HB 1495, HB 1513, HCS HB 1576, HCS HB 1731

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Thursday, February 23, 2012, Upon Morning Adjournment South Gallery.

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, February 27, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1304, HB 1771, HB 1772, HB 1773, HB 1774, HB 1775, HB 1776, HB 1777

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 23, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 32, HB 1634

Executive session may be held on any matter referred to the committee.

Division of Tourism will be presenting their annual report to the committee during the second hour of the meeting.

VETERANS

Tuesday, February 28, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1301, HB 1680, HB 1248, HCR 5

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 23, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1489, HB 1521, HB 1275

Executive session will be held: HB 1637

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTIETH DAY, THURSDAY, FEBRUARY 23, 2012

HOUSE BILLS FOR SECOND READING

HB 1797 through HB 1818

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1298 & 1180, as amended - Parkinson
- 2 HB 1349 - Jones (117)
- 3 HCS HB 1106 - Dugger
- 4 HCS HB 1193 - Frederick
- 5 HCS HB 1220 - Hubbard
- 6 HCS HB 1174 - Lair

HOUSE BILLS FOR PERFECTION - CONSENT

(2/17/2012)

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter
- 3 HB 1441 - Fisher

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS HJR 61, (Fiscal Review 2/21/12) - Loehner
- 2 HCS HJR 41, (Fiscal Review 2/21/12) - Nasheed

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 2014 - Silvey

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1186 & 1147 - Parkinson
- 3 HCS HB 1308 - Wells
- 4 HCS HB 1442, (Fiscal Review 2/22/12) - Smith (150)

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HB 1131 - Fisher

SENATE BILLS FOR THIRD READING

SCS SB 773, (Fiscal Review 2/22/12), E.C. - Diehl

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTIETH DAY, THURSDAY, FEBRUARY 23, 2012

The House met pursuant to adjournment.

Representative Jones (89) in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In God we live, and move, and have our being. (Acts 17:28)

Our God, Who is the source of light and life, and Whose glory is in all the world, without Whom no one can live - make us one with You as we move through the experiences of this day. By ourselves we are not adequate for our daily tasks, but with You we are made ready for every responsibility and equal to every experience. This day, help us to think, and to think clearly; help us to speak, and to speak wisely; help us to live, and to live faithfully. May we always do our very best and then leave the results with You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Helena Schmidt, Elijah Schmidt, Noah Schmidt, Joshua Schmidt, John Paul Schmidt and Benjamin Schmidt.

The Journal of the twenty-ninth day was approved as printed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus

McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Brattin	Dieckhaus	Hough	Hughes
Jones 117	Kander	Leara	Long	Molendorp
Richardson	Torpey	Zerr	Mr Speaker	

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 806 through House Resolution No. 833

HOUSE CONCURRENT RESOLUTION

Representative Franklin offered House Concurrent Resolution No. 43.

SECOND READING OF HOUSE BILLS

HB 1797 through **HB 1818** were read the second time.

Speaker Pro Tem Schoeller assumed the Chair.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 61**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1442**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 2014, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2014** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Dieckhaus	Diehl	Hughes	Kander
Schatz	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 41, relating to General Assembly term limits, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HCS HJR 41** was read the third time and passed by the following vote:

AYES: 098

Allen	Atkins	Aull	Bahr	Bernskoetter
Black	Brown 50	Carlson	Carter	Cierpiot
Colona	Cross	Curtman	Davis	Denison
Dugger	Ellinger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Jones 63	Jones 89	Keeney
Kelley 126	Kelly 24	Kirkton	Koenig	Kratky
Lair	Lampe	Lant	Largent	Leara
Lichtenegger	Loehner	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Redmon	Reiboldt
Rizzo	Ruzicka	Sater	Schad	Scharnhorst
Schneider	Schupp	Silvey	Smith 71	Solon
Spreng	Stream	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber	Weter	Wieland
Wright	Wyatt	Zerr		

NOES: 055

Anders	Asbury	Barnes	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Conway 14	Conway 27	Cookson	Cox
Crawford	Elmer	Fallert	Frederick	Guernsey
Hampton	Harris	Johnson	Jones 117	Klippenstein
Korman	Lasater	Lauer	Leach	Long
Marshall	McManus	Meadows	Phillips	Pollock
Quinn	Richardson	Riddle	Rowland	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Sifton	Smith 150	Sommer	Still	Swinger
Thomson	Torpey	Wallingford	Wells	White

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Dieckhaus	Diehl	Ellington	Franklin
Fuhr	Hughes	Kander	Nolte	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HBs 1186 & 1147, relating to English only driver's examinations, was taken up by Representative Parkinson.

On motion of Representative Parkinson, **HCS HBs 1186 & 1147** was read the third time and passed by the following vote:

AYES: 093

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hodges	Hoskins	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Parkinson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Shively	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 063

Anders	Atkins	Aull	Barnes	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Gosen	Harris	Holsman	Hough	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Klippenstein	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Rizzo	Sater	Schieber	Schupp
Shumake	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webb	Webber	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 007

Cox	Dieckhaus	Flanigan	Franz	Kander
Nolte	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1308, relating to security of moneys, was taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 1308** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Davis	Day	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 003

Curtman	Ellington	Hughes
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PRESENT: 000

ABSENT WITH LEAVE: 009

Atkins	Bahr	Cox	Dieckhaus	Franklin
Kander	Nolte	Still	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1442, relating to vacancies in office, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1442** was read the third time and passed by the following vote:

AYES: 094

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 057

Atkins	Aull	Bahr	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	Lasater	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Anders	Brown 50	Cox	Day	Dieckhaus
Funderburk	Guernsey	Kander	Leach	Redmon
Swinger	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HB 1131, relating to withholding form information, was taken up by Representative Fisher.

On motion of Representative Fisher, **HB 1131** was read the third time and passed by the following vote:

AYES: 146

Asbury	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 85
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Davis	Denison
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Anders	Brandom	Brown 50	Cox
Curtman	Day	Dieckhaus	Ellinger	Flanigan
Funderburk	Kander	Leach	Nolte	Redmon
Swinger	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF SENATE BILL

SCS SB 773, relating to the 2012 state primary election, was taken up by Representative Diehl.

Representative Diehl moved that **SCS SB 773** be third read and finally passed.

The motion to third read and finally pass **SCS SB 773** was withdrawn.

MOTION

Representative Jones (89) moved that Rule 62 be suspended.

Which motion was adopted by the following vote:

AYES: 140

Asbury	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 85
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 001

Still

PRESENT: 006

Hughes	Kirkton	McCann Beatty	McNeil	Smith 71
Webber				

ABSENT WITH LEAVE: 016

Allen	Anders	Brandom	Brown 50	Cox
Day	Dieckhaus	Fisher	Flanigan	Holsman
Kander	Molendorp	Nolte	Redmon	Swinger
Mr Speaker				

THIRD READING OF SENATE BILL

SCS SB 773, relating to the 2012 state primary election, was taken up by Representative Diehl.

Representative Hummel offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 773, Page 2, Section 115.349, Line 40, by inserting after the phrase: "**April 24, 2012**." on said line the following:

"This subsection shall not apply to modify the filing deadlines for any primary elections held in political subdivisions or special districts."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Dugger offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 773, Page 2, Section 115.349, Line 39, by deleting the date, "**March 27, 2012**" and inserting in lieu thereof the date, "**March 19, 2012**"; and

Further amend said page and section, Line 40, by deleting the date, "**April 24, 2012**" and inserting in lieu thereof the date, "**March 30, 2012**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 2** was adopted.

Representative Conway (27) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 773, Section 115.345, Page 1, Lines 8 to 11, by deleting all of said subsection 3 and lines and inserting in lieu thereof the following:

"3. Notwithstanding the provisions of subsection 2 of this section to the contrary, for the primary occurring on August 7, 2012, upon notification by the Secretary of State that Subsection 4 of section 115.349 has become effective, each election authority shall publish the notice and date by which candidates shall file as required under subsection 2 of this section and subsection 4 of section 115.349. The state shall reimburse each

election authority for the cost of publishing such notice and the legislature shall appropriate funds for that purpose.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (27), **House Amendment No. 3** was adopted.

On motion of Representative Diehl, **SCS SB 773, as amended**, was read the third time and passed by the following vote:

AYES: 147

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 004

Kirkton	Pollock	Smith 71	Still
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PRESENT: 000

ABSENT WITH LEAVE: 012

Anders	Brown 50	Cox	Day	Dieckhaus
Ellington	Kander	Meadows	Montecillo	Redmon
Swinger	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 002

Smith 71 Still

PRESENT: 000

ABSENT WITH LEAVE: 011

Anders	Brown 50	Cox	Day	Dieckhaus
Kander	Meadows	Nasheed	Redmon	Swinger
Mr Speaker				

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 78 - Special Standing Committee on Judicial Reform

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1065** - Small Business
- HB 1068** - Tourism and Natural Resources
- HB 1101** - Ways and Means
- HB 1129** - Local Government
- HB 1171** - Judiciary
- HB 1265** - Veterans
- HB 1276** - Elementary and Secondary Education
- HB 1282** - Tourism and Natural Resources
- HB 1299** - Local Government
- HB 1310** - Ways and Means
- HB 1350** - Professional Registration and Licensing
- HB 1353** - Higher Education
- HB 1362** - Children and Families
- HB 1375** - Agriculture Policy
- HB 1398** - Local Government
- HB 1414** - Workforce Development and Workplace Safety
- HB 1422** - Crime Prevention and Public Safety
- HB 1424** - Crime Prevention and Public Safety
- HB 1434** - Utilities
- HB 1480** - Utilities
- HB 1481** - Agriculture Policy
- HB 1519** - Elementary and Secondary Education
- HB 1535** - Ways and Means
- HB 1536** - Tax Reform
- HB 1537** - Transportation Funding and Public Institutions
- HB 1545** - Health Care Policy
- HB 1547** - Local Government
- HB 1548** - Tourism and Natural Resources
- HB 1565** - Children and Families
- HB 1568** - Children and Families
- HB 1572** - Elementary and Secondary Education
- HB 1595** - Elementary and Secondary Education
- HB 1596** - Elementary and Secondary Education
- HB 1624** - Crime Prevention and Public Safety
- HB 1625** - Crime Prevention and Public Safety
- HB 1626** - Elementary and Secondary Education
- HB 1650** - Elementary and Secondary Education
- HB 1662** - Rural Community Development
- HB 1681** - Crime Prevention and Public Safety
- HB 1683** - General Laws
- HB 1689** - General Laws
- HB 1690** - General Laws
- HB 1702** - Small Business

HB 1708 - Elementary and Secondary Education
HB 1718 - Elementary and Secondary Education
HB 1728 - Economic Development
HB 1738 - Special Standing Committee on Disability Services
HB 1749 - Transportation
HB 1751 - Utilities
HB 1789 - Elementary and Secondary Education
HB 1804 - Transportation Funding and Public Institutions

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1319**, **HB 1045**, and **HB 1369**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1342**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1549**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1096**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1325**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1373**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1492**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1331**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HJR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1063**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1266**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1634**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1029**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1030**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1042**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1072**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1098 & 1084**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1108**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1123**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1139**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1191**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1236**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1258, 1259 & 1260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1300**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1317**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1317**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1318**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1324**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1404**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Rules, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1431**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1495**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1513**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1576**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1731**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1037**, **HB 1114** and **HB 1441**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1819, introduced by Representative Jones (63), relating to alternative educational procedures for charter schools.

HB 1820, introduced by Representatives Asbury and Shively, to authorize the conveyance of property owned by the state to the state highways and transportation commission.

HB 1821, introduced by Representative Long, relating to appeal procedures for nonmerit employees.

HB 1822, introduced by Representatives Lampe, Silvey, Montecillo, Kirkton, McCann Beatty, Taylor, McNeil, Pierson, Newman, Spreng, Grisamore, Lair, Entlicher, Crawford, Hoskins, Black, Nichols, Ellinger, Leach, Morgan, Walton Gray, Smith (71), Harris, May, Anders, Pace, Atkins, Oxford, Nasheed, Jones (63), Kelly (24), Talboy, Webber, Hummel, Rizzo, Webb, Carter and Schoeller, relating to domestic violence orders of protection.

HB 1823, introduced by Representatives Brown (85), Entlicher, Wieland, White, Koenig, Brattin, Atkins, Kelley (126), McNary, Lichtenegger, Bahr, Leach, Kirkton and Redmon, relating to tax increment financing.

HB 1824, introduced by Representative Johnson, relating to the licensure of mobile food vendors.

HB 1825, introduced by Representatives Hinson, Leara, Fuhr, Brown (85) and Haefner, relating to patient transport.

HB 1826, introduced by Representatives Fitzwater, Redmon, Fraker, Lasater, Black, Bahr, Wyatt, Cross, Hampton, Riddle and Silvey, relating to videoconferencing of offenders.

HB 1827, introduced by Representatives Richardson, Jones (117), Sater, Webber, Jones (89), Talboy, Torpey, Ellinger and Diehl, relating to the Missouri electronic prior authorization committee.

HB 1828, introduced by Representative Franz, relating to unsecured loans of five hundred dollars or less.

HB 1829, introduced by Representatives McNeil, Lampe, Anders, McGeoghegan, Walton Gray, McCann Beatty and Spreng, relating to school district accreditation.

HB 1830, introduced by Representative Stream, relating to student transfers.

HB 1831, introduced by Representative Stream, relating to school discipline.

HB 1832, introduced by Representatives Brown (116), Pollock and Scharnhorst, relating to forms for concealed carry endorsements.

HB 1833, introduced by Representatives Brown (116), Pollock and Scharnhorst, relating to knives.

HB 1834, introduced by Representatives Funderburk, Bahr, Koenig, Davis, Shumake, Barnes, Webb, Lampe and Higdon, relating to extracurricular and interscholastic program participation.

HB 1835, introduced by Representatives Silvey, Diehl, Stream, Jones (89), Parkinson, Loehner, Hough, Cauthorn, Scharnhorst, Davis, Neth, McCaherty, Solon, Schatz, Long, Higdon, Allen, Haefner, Leach, Brown (85), Conway (14), Largent, Day, Brown (116), Hoskins, Funderburk, Curtman, Torpey, Jones (117), Elmer, Richardson, Molendorp, Berry, Cross, Gatschenberger, McGhee, Fitzwater, Bahr, Brattin and Flanigan, relating to health care costs of blind individuals.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 26**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 484, 477 & 606**, entitled:

An act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 701**, entitled:

An act to repeal section 142.932, RSMo, and to enact in lieu thereof one new section relating to operating a motor vehicle with dyed motor fuel, with penalty provisions in existing language.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 719**, entitled:

An act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary boating safety identification cards to nonresidents, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 27, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 28, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1660

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 29, 2012, 6:30 PM

Shooters Alley Indoor Range

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 27, 2012, 2:00 PM House Hearing Room 3.

Executive session will be held: HB 1190, HB 1647, HB 1672

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 28, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1592, HB 1723, HB 1130, HB 1069, HB 1623

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 28, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1692, HJR 39

Executive session will be held: HB 1060

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 28, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1509, HB 1546, HB 1711

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 28, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1257, HB 1587

Executive session will be held: HB 1722

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 27, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1124, HB 1594

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 1, 2012, 8:30 AM Senate Lounge.

Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 27, 2012, 1:30 PM House Hearing Room 7.

Public hearing will be held: HB 1738

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, February 27, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1304, HB 1771, HB 1772, HB 1773, HB 1774, HB 1775, HB 1776, HB 1777

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 28, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1301, HB 1680, HB 1248, HCR 5

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 27, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS SCS SB 572, HB 1403

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FIRST DAY, MONDAY, FEBRUARY 27, 2012

HOUSE BILLS FOR SECOND READING

HB 1819 through HB 1835

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1298 & 1180, as amended - Parkinson
- 2 HB 1349 - Jones (117)
- 3 HCS HB 1106 - Dugger
- 4 HCS HB 1193 - Frederick
- 5 HCS HB 1220 - Hubbard
- 6 HCS HB 1174 - Lair
- 7 HB 1513 - Franz
- 8 HCS HB 1731 - Day

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter
- 3 HB 1441 - Fisher

SENATE JOINT RESOLUTIONS FOR SECOND READING

SJR 26

SENATE BILLS FOR SECOND READING

- 1 SCS SBs 484, 477 & 606
- 2 SB 701
- 3 SS SCS SB 719

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FIRST DAY, MONDAY, FEBRUARY 27, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My help cometh from the Lord, who made heaven and earth. (Psalm 121:2)

Almighty God, Who has given us this good state for our heritage, we humbly pray that we may always be a people mindful of Your favor, eager to do Your will, and glad to be of service to our fellow citizens.

Save us from discord and discrimination, from pride and prejudice, from vindictiveness and violence, and lead us into the glorious liberty of those who put their trust in You, and who walk in the way of Your commandments.

Give us wisdom to know Your will and the strength to do it. Fill us all with the love of truth and righteousness and good will, that we may be a blessing to our state and in turn our state be a blessing to our nation.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the thirtieth day was approved as printed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCreery	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson

Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schieber	Schieffer	Schneider	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Barnes	Brattin	Diehl	Flanigan	Funderburk
Hinson	Houghton	Hughes	Kander	Kelley 126
Largent	Leara	McCann Beatty	McManus	Neth
Nolte	Schad	Schatz	Schoeller	Still
Swinger	Webb	Wells	Weter	

HOUSE RESOLUTION

Representative Leara offered House Resolution No. 882.

HOUSE COURTESY RESOLUTION OFFERED AND ISSUED

House Resolution No. 834 through House Resolution No. 881
House Resolution No. 883

SECOND READING OF HOUSE BILLS

HB 1819 through **HB 1835** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 26 was read the second time.

SECOND READING OF SENATE BILLS

SCS SBs 484, 477 & 606, SB 701 and **SS SCS SB 719** were read the second time.

Representative Schatz assumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 45, relating to a veterans lottery ticket, was taken up by Representative Solon.

On motion of Representative Solon, **HJR 45** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 1349, relating to irrevocable life insurance trusts, was taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1349, Page 1, Section 362.333, Line 5, by inserting an opening bracket, “[” in front of the word, “the” and by deleting the opening bracket, “[” from in front of the word, “Missouri”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

On motion of Representative Jones (117), **HB 1349, as amended**, was ordered perfected and printed.

HCS HB 1106, relating to county collectors, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1106** was adopted.

On motion of Representative Dugger, **HCS HB 1106** was ordered perfected and printed.

HCS HB 1193, relating to the Prescription Drug Monitoring Program Act, was taken up by Representative Frederick.

HCS HB 1193 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1737 - Transportation

HB 1795 - Tourism and Natural Resources

HB 1807 - Transportation

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
for
HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, the Land and Water Conservation Fund (LWCF) was established by the United States Congress in 1965 to preserve, develop, and assure accessibility to quality outdoor recreation resources "to strengthen the health and vitality of the citizens of the United States"; and

WHEREAS, the LWCF is principally funded by revenue received from offshore energy extraction and is authorized to receive \$900 million annually through the annual appropriations process; and

WHEREAS, the LWCF funds a federal land acquisition program and provides matching grants to states and localities for capital projects through the State Assistance program; and

WHEREAS, investments from the LWCF State Assistance program support the creation of public parks in rural and urban communities throughout America, protect green space and local water supplies, guarantee outdoor recreation opportunities, spur economic development, create jobs, and significantly aid national efforts to promote health, connect youth to nature and the outdoors, combat childhood obesity, and protect the environment; and

WHEREAS, in the original authorizing legislation, Congress recognized the important role of state and local parks in achieving its intended purpose by requiring the allocation of 60% of LWCF annual funding to the State Assistance program and 40% to the federal program; and

WHEREAS, the language protecting the State Assistance program was removed in the mid 1970s resulting in a disproportional amount (84%) of LWCF funding going to the federal side of the program over the past 25 years; and

WHEREAS, no language exists to protect the State Assistance funding allocations, and Congress appropriated a total of approximately \$304 million to LWCF in FY 2009 but allocated only \$19 million (6%) to the State Assistance program, and in FY 2010 appropriated a total of approximately \$479 million to LWCF with a mere \$40 million (8%) going to the State Assistance program; and

WHEREAS, Missouri received only \$509,599 in FY 2009 and \$699,429 in FY 2010 based on Missouri's portion (.017%) of the 16% that is currently allocated to the states; and

WHEREAS, the disproportional allocation of LWCF funding between the two programs has severely limited state and local governments in their capacity to develop parks and open spaces and protect green space and local water supplies in light of rapidly increasing populations; and

WHEREAS, LWCF provides one-time funding for state and local capital projects and state and local governments equally match the federal dollars, then assume all costs of management and maintenance; and

WHEREAS, the State of Missouri has approximately \$7 million in unmet need for LWDF State Assistance projects; and

WHEREAS, requiring 40% of LWCF funds to be annually allocated to the State Assistance program would not increase the national debt, but would ensure a more balanced allocation of resources between federal land acquisition and state and local community conservation efforts, as intended by the authorizing legislation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby call on the United States Congress to implement legislation specifying an annual allocation of at least 40% of Land and Water Conservation Fund (LWCF) moneys to the State Assistance program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SCS SB 572**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1836, introduced by Representatives Shively and Asbury, to authorize the conveyance of property owned by the state to the state highways and transportation commission.

HB 1837, introduced by Representative Molendorp, relating to workplace safety.

COMMITTEE APPOINTMENT

February 27, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Governmental Affairs:

Representative Vicki Schneider, Chairman
Representative Sandy Crawford, Vice Chair
Representative Mike McGhee
Representative Jeanie Lauer
Representative Gary Cross
Representative Tom Loehner
Representative Ray Weter
Representative Kathie Conway
Representative Jacob Hummel
Representative Michele Kratky
Representative Brandon Ellington
Representative Judy Morgan

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

The following members' presence was noted: Barnes, Diehl, Flanigan, Funderburk, Houghton, Kelley (126), Leara, McCann Beatty, McManus, Neth, Nolte, Schad, Schoeller, Still, Webb and Wells.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 28, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, February 28, 2012, 8:00 AM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1660
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 29, 2012, 6:30 PM
Shooters Alley Indoor Range.

CHILDREN AND FAMILIES

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1568, HB 1238, HB 1435
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 28, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1592, HB 1723, HB 1130, HB 1069, HB 1623
Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 28, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1692, HJR 39
Executive session will be held: HB 1060
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1062, HB 1609, HB 1789, HB 1048
Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 28, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HCR 37, HB 1498, HB 1644, HB 1679, HB 1317
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1490, HB 1545
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 28, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1509, HB 1546, HB 1711
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 28, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1257, HB 1587
Executive session will be held: HB 1722
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications

JUDICIARY

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1171, HB 1588, HB 1758, HB 1377
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1249, HB 1701, HB 1398
Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 29, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1619, HB 1350

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Tuesday, February 28, 2012, 5:45 PM House Hearing Room 6.

Executive session will be held: HCS HB 1740

Executive session may be held on any or all bills referred to this committee.

TAX REFORM

Wednesday, February 29, 2012, 9:00 AM House Hearing Room 5.

Executive session will be held: HB 1569

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 28, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 1749

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, February 28, 2012, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 1804

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, February 28, 2012, Upon Morning Adjournment House Hearing Room 1.

Public hearing will be held: HB 1434, HB 1751

Executive session will be held: HB 1691

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 28, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1301, HB 1680, HB 1248, HCR 5

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SECOND DAY, TUESDAY, FEBRUARY 28, 2012

HOUSE BILLS FOR SECOND READING

HB 1836 and HB 1837

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1298 & 1180, as amended - Parkinson
- 2 HCS HB 1193 - Frederick
- 3 HCS HB 1220 - Hubbard
- 4 HCS HB 1174 - Lair
- 5 HB 1513 - Franz
- 6 HCS HB 1731 - Day
- 7 HB 1029 - Flanigan
- 8 HCS HB 1030 - Flanigan
- 9 HCS HB 1042 - Thomson
- 10 HCS HB 1072 - Sater
- 11 HCS HB 1123 - Frederick
- 12 HCS HB 1139 - Gatschenberger
- 13 HB 1191 - Ruzicka
- 14 HCS HB 1300 - Franz
- 15 HB 1318 - Riddle
- 16 HCS HB 1324 - Loehner
- 17 HB 1431 - Hoskins
- 18 HCS HB 1495 - Nance

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter
- 3 HB 1441 - Fisher

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SECOND DAY, TUESDAY, FEBRUARY 28, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I remind you to rekindle the gift of God that is within you, for God did not give us the spirit of fear, but of power, and of love and of a sound mind. (II Timothy 1:6-7)

Our God, beyond Whose love and care we cannot drift, in the glory of a new day we come lifting our hearts unto You, praying that Your spirit may guide us, Your strength support us, and Your peace pervade our minds and hearts.

Within the noise and commotion of this day may we hear Your still small voice and responding find our weakness changed to strength, our fear to faith, and our ill will to good will.

We are disturbed by the dangers in our world, weighted down by many burdens, and tempted to be critical if not cynical, because of human error and human evil. Give us the spirit to carry on with courage and faith, believing that You are with us, and believing that together we can do what needs to be done.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jacque-Adam Smith, Jacque-Arthur Smith, Anwar Smith, Sebastian Smith, Aidan Smith and Hannah R. Barron.

The Journal of the thirty-first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 884 through House Resolution No. 934

HOUSE CONCURRENT RESOLUTIONS

Representative Sommer, et al., offered House Concurrent Resolution No. 44.

Representatives Sommer and Nolte offered House Concurrent Resolution No. 45.

SECOND READING OF HOUSE BILLS

HB 1836 and **HB 1837** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1174, relating to school accreditation, was taken up by Representative Lair.

Representative Lair offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1174, Page 4, Section 162.081, Line 115, by inserting after all of said line the following:

"8. No action of the state board of education pursuant to this section shall be construed to supersede the right of a student residing in an unaccredited school district, under section 167.131, to transfer to an accredited district in the same or an adjoining county and have his or her tuition paid by his or her school district of residence."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lair, **House Amendment No. 1** was adopted.

On motion of Representative Lair, **HCS HB 1174, as amended**, was adopted.

On motion of Representative Lair, **HCS HB 1174, as amended**, was ordered perfected and printed.

HCS HB 1731, relating to gaming and lottery moneys, was taken up by Representative Day.

Representative Day offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1731, Page 1, Section 313.321, Lines 8 & 9, by striking the following on said lines **"development, education and care fund created in section 161.215"** and inserting in lieu thereof the following **"education and development programs"**; and

Further amend said substitute, Page 3, Section 313.835, Line 22, by inserting a "[" immediately before the word "four"; and

Further amend said page, section, and line, by inserting the following after word "one-half" **"] five"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Day, **House Amendment No. 1** was adopted.

On motion of Representative Day, **HCS HB 1731, as amended**, was adopted.

On motion of Representative Day, **HCS HB 1731, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL - CONSENT

HB 1441, relating to workers' compensation and unemployment benefits, was taken up by Representative Fisher.

On motion of Representative Fisher, **HB 1441** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Day	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Davis	Denison	Entlicher	Franklin
Hinson	Holsman	Hubbard	Hughes	Largent
May	Nasheed	Pierson	Shumake	Spreng
Weter				

Speaker Tilley declared the bill passed.

Representative Diehl assumed the Chair.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 45 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1504 - General Laws
HB 1579 - Veterans
HB 1584 - Transportation
HB 1747 - Crime Prevention and Public Safety
HB 1761 - Crime Prevention and Public Safety
HB 1762 - Crime Prevention and Public Safety
HB 1763 - Crime Prevention and Public Safety
HB 1769 - Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1363**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1364**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1060**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1692**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1144**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1484**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1574 and HB 1097**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1680**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1436**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1518 and HB 1522**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1651**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1652**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1341**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1524**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1524**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1838, introduced by Representatives Jones (117) and Houghton, relating to compensatory leave for nonexempt state employees.

HB 1839, introduced by Representatives Jones (117), Schupp and Kirkton, relating to temporary license plates.

HB 1840, introduced by Representative Jones (117), relating to midwifery.

HB 1841, introduced by Representatives Jones (117), Webber and Richardson, relating to pyramid sales schemes.

HB 1842, introduced by Representatives Lant, Schad, Leara, Riddle, Tilley, Talboy, Jones (89), Reiboldt, Lair, Grisamore, Stream, Davis, Fisher, Scharnhorst, Korman, Kelly (24), Richardson, Barnes, Gatschenberger, Fuhr, Funderburk, Zerr, Dugger, Thomson, Ruzicka, Smith (150), Brown (85), Franklin, Burlison, Brown (50), Berry and Jones (63), relating to the joint committee on child abuse and neglect.

HB 1843, introduced by Representatives Morgan, Walton Gray, McGeoghegan, Smith (71), McCann Beatty, Still, Ellington, Newman, McNeil, Harris, Talboy, Oxford, Schupp, Taylor, Ellinger and Rizzo, relating to school attendance.

HB 1844, introduced by Representatives Reiboldt, Cauthorn, White, Schatz, Lant and Davis, relating to certain disclosures on credit card processing service contracts.

HB 1845, introduced by Representatives Reiboldt, Lant, White, Wieland, Cauthorn, Schatz, Brattin and Davis, relating to fees for garnishments.

HB 1846, introduced by Representatives Long and Ellinger, relating to referrals for MO HealthNet home- and community-based care.

HB 1847, introduced by Representatives Jones (117) and Richardson, relating to long-term care facilities.

HB 1848, introduced by Representative Webb, relating to court of appeals.

HB 1849, introduced by Representative McGhee, relating to health control for multifamily rental dwelling units.

The following members' presence was noted: Barnes, Davis, Denison, Franklin, Holsman, Hubbard, Largent, May, Nasheed, Pierson, Shumake, Spreng and Weter.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 29, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 29, 2012, 6:30 PM

Shooters Alley Indoor Range.

BUDGET

Monday, March 5, 2012, 10:00 AM House Hearing Room 3.

Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

Executive session may be held on any matter referred to the committee.

Review of House Committee Substitutes for House Bills 2001 through 2013.

CHILDREN AND FAMILIES

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1568, HB 1238, HB 1435

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1515, HB 1424, HB 1422

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 1, 2012, 9:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1062, HB 1609, HB 1789, HB 1048

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 1, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any and all bills referred to the committee.

HEALTH CARE POLICY

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1490, HB 1545

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Thursday, March 1, 2012, Upon Morning Adjournment North Gallery.

Executive session will be held: HB 1449

Executive session may be held on any matter referred to the committee.

CORRECTED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 1, 2012, 8:30 AM Senate Lounge.

Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications

JUDICIARY

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1171, HB 1588, HB 1758, HB 1377

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1249, HB 1701, HB 1398

Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 29, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1619, HB 1350

Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1065, HB 1146

Executive session will be held: HB 1661, HB 1214, HB 1134

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, February 29, 2012, 9:00 AM House Hearing Room 5.

Executive session will be held: HB 1569

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Thursday, March 1, 2012, Upon Morning Adjournment South Gallery.

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 1, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1535, HB 1310, HB 1101,

Executive session will be held: HB 1275

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-THIRD DAY, WEDNESDAY, FEBRUARY 29, 2012

HOUSE BILLS FOR SECOND READING

HB 1838 through HB 1849

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1298 & 1180, as amended - Parkinson
- 2 HCS HB 1193 - Frederick
- 3 HCS HB 1220 - Hubbard
- 4 HB 1513 - Franz
- 5 HB 1029 - Flanigan
- 6 HCS HB 1030 - Flanigan
- 7 HCS HB 1042 - Thomson
- 8 HCS HB 1072 - Sater
- 9 HCS HB 1123 - Frederick
- 10 HCS HB 1139 - Gatschenberger
- 11 HB 1191 - Ruzicka
- 12 HCS HB 1300 - Franz
- 13 HB 1318 - Riddle
- 14 HCS HB 1324 - Loehner
- 15 HB 1431 - Hoskins
- 16 HCS HB 1495 - Nance

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS HJR 61 - Loehner
- 2 HJR 45, (Fiscal Review 2/28/12) - Solon

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HB 1349 - Jones (117)
- 3 HCS HB 1106 - Dugger

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-THIRD DAY, WEDNESDAY, FEBRUARY 29, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Rest in the Lord and wait patiently for Him; fret not thyself. (Psalm 37:7)

Eternal God, Who has made us for Yourself so that our hearts are restless until they find rest in You, we pause in silence before You as we begin our duties on this leap year day. We would quiet our spirits in Your presence and find rest in the support of Your sustaining strength.

Forgive our folly and our excuses, our coldness to human suffering, our indifference to those treasures of the spirit which are light and life, and our neglect of Your wise and gracious laws. So change our minds and turn our thoughts to You that we may walk in the way of Your commandments and with courage serve our state, with compassion help our citizens, and with confidence keep our lives committed to You.

Finally, watch over and bless all who were harmed last evening by severe storms in Southern Missouri. Spare and save us from all harmful weather in the future.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-second day was approved as printed.

SECOND READING OF HOUSE BILLS

HB 1838 through **HB 1849** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1318, relating to mental health facility employees, was taken up by Representative Riddle.

On motion of Representative Riddle, **HB 1318** was ordered perfected and printed.

Representative Diehl assumed the Chair.

HCS HB 1139, relating to the 2012 Missouri State Employee Incentive Program, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HCS HB 1139** was adopted.

On motion of Representative Gatschenberger, **HCS HB 1139** was ordered perfected and printed.

HCS HBs 1298 & 1180, as amended, relating to tort actions for damages, was taken up by Representative Parkinson.

On motion of Representative Parkinson, **HCS HBs 1298 & 1180, as amended**, was adopted.

On motion of Representative Parkinson, **HCS HBs 1298 & 1180, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Diehl.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 935 through House Resolution No. 948

PERFECTION OF HOUSE BILLS

HCS HB 1030, relating to collection of state money, was taken up by Representative Flanigan.

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Kelly (24) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1030, Page 2, Section 32.058, Line 4, by deleting the words, “**on any assessed delinquency or underpayment**” and inserting in lieu thereof the words, “**of deficiency or assessment**”; and

Further amend said bill, Page 5, Section 32.087, Line 127, by inserting after all of said section the following:

“32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144,

147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.”; and

Further amend said bill, Page 17, Section 144.190, Line 77, by deleting the words, “**August 28, 2013**” and inserting in lieu thereof the words, “**September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

Representative Nance offered **House Amendment No. 3**.

Representative Leara raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Flanigan, **HCS HB 1030, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 1030, as amended**, was ordered perfected and printed by the following vote:

AYES: 145

Allen	Anders	Asbury	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner

Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 004

Atkins	Guernsey	Hughes	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Brown 50	Carter	Colona	Crawford
Fitzwater	Funderburk	Holsman	Korman	McGhee
Phillips	Schoeller	Still	Webb	

HCS HB 1072, relating to the Volunteer Health Services Act, was taken up by Representative Sater.

Representative Sater offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1072, Page 2, Section 191.1106, Line 7, by deleting the word “**officer’s**” and insert in lieu thereof the word “**officers**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

On motion of Representative Sater, **HCS HB 1072, as amended**, was adopted.

On motion of Representative Sater, **HCS HB 1072, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1318** - Fiscal Review
- HB 1066** - Workforce Development and Workplace Safety
- HB 1082** - Professional Registration and Licensing
- HB 1095** - General Laws
- HB 1102** - Children and Families
- HB 1118** - Crime Prevention and Public Safety
- HB 1202** - Judiciary
- HB 1233** - Children and Families
- HB 1306** - Small Business
- HB 1355** - Professional Registration and Licensing
- HB 1358** - Local Government
- HB 1406** - Insurance Policy
- HB 1415** - Elections
- HB 1423** - Crime Prevention and Public Safety
- HB 1446** - Ways and Means
- HB 1454** - Transportation Funding and Public Institutions
- HB 1456** - Corrections
- HB 1470** - Children and Families
- HB 1559** - Children and Families
- HB 1563** - Professional Registration and Licensing
- HB 1564** - Crime Prevention and Public Safety
- HB 1590** - Local Government
- HB 1598** - Crime Prevention and Public Safety
- HB 1602** - Special Standing Committee on Renewable Energy
- HB 1607** - Children and Families
- HB 1627** - Judiciary
- HB 1639** - International Trade and Job Creation
- HB 1642** - Corrections
- HB 1656** - Crime Prevention and Public Safety
- HB 1674** - Small Business
- HB 1676** - Local Government
- HB 1699** - Crime Prevention and Public Safety
- HB 1707** - General Laws
- HB 1717** - Ways and Means
- HB 1725** - Agriculture Policy
- HB 1733** - Agriculture Policy
- HB 1741** - Retirement
- HB 1742** - General Laws
- HB 1743** - Crime Prevention and Public Safety
- HB 1744** - Tourism and Natural Resources
- HB 1750** - Crime Prevention and Public Safety

HB 1752 - Tourism and Natural Resources
HB 1753 - Agriculture Policy
HB 1767 - Crime Prevention and Public Safety
HB 1768 - Utilities
HB 1778 - Tourism and Natural Resources
HB 1780 - Local Government
HB 1782 - Transportation
HB 1817 - Judiciary
HB 1827 - Health Insurance
HB 1847 - Health Care Policy

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1455**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1048**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was returned **HB 1317**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1475**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1541**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1545**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1636**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1134**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1214**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 83, introduced by Representatives Kelley (126), Schad, Haefner, Brattin, Gatschenberger, Houghton, Guernsey, Funderburk, Cox, Fisher, Lair, McNary, Stream, Thomson, Day, Hoskins, Entlicher, White, Davis, Weter, Keeney, Rowland, Jones (89), Franz, Diehl, Hummel, Harris, Pace, Webb, Fallert, Casey, Nichols, Brown (85), Long, Redmon, Parkinson, Frederick, Johnson, Richardson, Hampton, Bernskoetter, Conway (14), Reiboldt, Solon, Wieland, Gosen, Lant, Pierson, Burlison, Bahr, Black, Fitzwater, Smith (150), Schoeller, Brown (116), Higdon, Wright, Nance, Riddle, Elmer, Lasater, Largent, Molendorp, McCreery, Brown (50), McGhee, McCann Beatty, McNeil, Lampe, Still, Zerr, Berry, Jones (63), May, Hubbard, Colona, Quinn, Shively, Hodges, Smith (71), Loehner, Grisamore, Dieckhaus, Silvey, Klippenstein, Flanigan, Nolte, Asbury, Schatz, Schieffer, Hughes, Anders, Ellinger, Cross, Sater, Wallingford, McGeoghegan, Schieber, Leach, McCaherty, Sommer, Allen, Lauer, Cookson, Nasheed, Holsman, Torpey, Rizzo, Montecillo, Fraker, Morgan, Bandom and Tilley, relating to laws retrospective in operation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1850, introduced by Representatives Wyatt, Berry, McNeil, Kirkton and Oxford, relating to the Missouri energy efficiency performance standard.

HB 1851, introduced by Representative Jones (117), relating to qualifications for sheriffs.

HB 1852, introduced by Representatives Bandom, Lichtenegger, Korman and Elmer, relating to the board for architects, professional engineers, professional land surveyors and landscape architects.

HB 1853, introduced by Representatives Newman, Jones (63), McCreery, Nichols, Walton Gray, Oxford, Pace, Morgan and Spreng, relating to prohibiting vasectomies.

HB 1854, introduced by Representative Grisamore, relating to the brain injury fund.

HB 1855, introduced by Representatives Wallingford, Thomson, Lichtenegger, Richardson, Molendorp, Schupp, Cookson, Hoskins, Morgan, Korman, Brandom, Aull, Cauthorn, Wright, Smith (150), Entlicher, Curtman, Brown (50), Meadows, Fraker, Pierson, Sommer, McGeoghegan, Conway (14), Lauer, Scharnhorst, Taylor, Walton Gray, Pace, Hodges, McNeil, Johnson, Long, Dieckhaus, Casey and Still, relating to science, technology, engineering, and mathematics education.

HB 1856, introduced by Representatives Hampton, Richardson, Wright, Keeney, Lichtenegger and Fitzwater, relating to county prosecutors.

HB 1857, introduced by Representatives Leara, Carter, Colona, Hummel, Montecillo, Atkins, Meadows and Hinson, relating to the firemen's retirement system of St. Louis.

HB 1858, introduced by Representatives Cox, Riddle, Cross, Hough and Bernskoetter, relating to beer wholesalers.

HB 1859, introduced by Representatives Barnes and Kelly (24), relating to conduit bond offerings by political subdivisions.

HB 1860, introduced by Representative Guernsey, relating to the crime of agricultural production facility fraud.

HB 1861, introduced by Representatives Nolte, Fisher, Lasater, Nance, Cross, White and Neth, relating to the taxation of business income.

HB 1862, introduced by Representative Newman, relating to pay equity.

HB 1863, introduced by Representative Aull, relating to the designation of the state historical dog.

HB 1864, introduced by Representatives Johnson, Higdon and Conway (27), relating to a Pony Express special license plate.

HB 1865, introduced by Representatives Barnes and Solon, relating solely to due diligence given in consideration of economic development incentives.

HB 1866, introduced by Representative Largent, relating to sales taxes on motor vehicles.

HB 1867, introduced by Representatives Denison, Pollock, Wells, Schieffer, Meadows, Fallert, McDonald, Hodges, Jones (63), Franz and Lant, relating to bail bonds.

HB 1868, introduced by Representative Cauthorn, relating to the designation of a highway.

HB 1869, introduced by Representatives Dugger and Diehl, relating to initiative and referendum petitions.

COMMUNICATION

February 29, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband is a member of the Missouri State Highway Patrol (MSHP); and that some of the legislation and amendments that I will be voting on could have a direct impact on our family, in the same manner in which other similarly situated members of the MSHP are affected.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this report in the Journal of the House.

Sincerely,

/s/ Shelley Keeney
State Representative
District 156

The following members' presence was noted: Bernskoetter, Carter, Colona, Crawford, Fitzwater, Funderburk, Holsman, Korman, Phillips, Schoeller, Still and Webb.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 1, 2012.

COMMITTEE MEETINGS

BUDGET

Monday, March 5, 2012, 10:00 AM House Hearing Room 3.

Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

Executive session may be held on any matter referred to the committee.

Review of House Committee Substitutes for House Bills 2001 through 2013.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 5, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1747, HB 1516

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 1, 2012, 9:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 1, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any and all bills referred to the committee

GENERAL LAWS

Thursday, March 1, 2012, Upon Morning Adjournment House Hearing Room 1.

Public hearing will be held: HB 1504

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Thursday, March 1, 2012, Upon Morning Adjournment North Gallery.

Executive session will be held: HB 1449

Executive session may be held on any matter referred to the committee.

CORRECTED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 1, 2012, 8:30 AM Senate Lounge.

Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, March 1, 2012, 9:30 AM House Hearing Room 7.

Executive session will be held: HR 89, HCR 22, HCS HCR 32, HCS HJR 47, HJR 52, HB 1073, HB 1051, HB 1096, HB 1165, HCS HB 1169, HB 1190, HB 1231, HB 1266, HB 1296, HB 1331, HB 1325, HB 1337, HCS HB 1342, HCS HB 1373, HB 1466, HB 1492, HCS HB 1525, HCS HB 1549, HB 1577, HB 1634, HCS HBs 1659 & 1116, HB 1668, HB 1641

Executive session may be held on any or all bills referred to this committee.

TRANSPORTATION

Thursday, March 1, 2012, Upon Morning Adjournment South Gallery.

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 1, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1535, HB 1310, HB 1101

Executive session will be held: HB 1275

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FOURTH DAY, THURSDAY, MARCH 1, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 83

HOUSE BILLS FOR SECOND READING

HB 1850 through HB 1869

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1193 - Frederick
- 2 HCS HB 1220 - Hubbard
- 3 HB 1513 - Franz
- 4 HB 1029 - Flanigan
- 5 HCS HB 1042 - Thomson
- 6 HCS HB 1123 - Frederick
- 7 HB 1191 - Ruzicka
- 8 HCS HB 1300 - Franz
- 9 HCS HB 1324 - Loehner
- 10 HB 1431 - Hoskins
- 11 HCS HB 1495 - Nance
- 12 HCS HB 1198 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS HJR 61 - Loehner
- 2 HJR 45, (Fiscal Review 2/28/12) - Solon

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HB 1349 - Jones (117)
- 3 HCS HB 1106 - Dugger
- 4 HCS HB 1174, E.C. - Lair
- 5 HCS HB 1731 - Day
- 6 HB 1318, (Fiscal Review 2/29/12) - Riddle
- 7 HCS HB 1139 - Gatschenberger
- 8 HCS HBs 1298 & 1180 - Parkinson
- 9 HCS HB 1030, E.C. - Flanigan
- 10 HCS HB 1072 - Sater

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FOURTH DAY, THURSDAY, MARCH 1, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Peace I leave with you, My peace I give unto you: not as the world giveth, give I unto you. Let not your heart be troubled, neither let it be afraid. (John 14:27)

Eternal God, our refuge and strength in every generation and Whose creative spirit does ever call us to new frontiers of thought and action, we bow before You this moment as we enter another day and month together. With Your wisdom we would be made wise, by Your strength we would be made strong, inspired by Your spirit we would be made ready for our responsibilities.

May no danger overwhelm us, no difficulty overcome us, no discouragement overburden us, no duty overtax us, but may we now and ever keep our faith in You and in the leading of Your wise and gracious spirit.

Bless our state and all the States of America - together may we seek peace, patiently pursue it and persevere in our pursuit until peace reigns in the hearts of all and in the heart of our world.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matthew Breite, Leah Grace McCaherty and Jonathan Elijah McCaherty.

The Journal of the thirty-third day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 949 through House Resolution No. 954

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 83 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1850 through **HB 1869** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1318**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 45, relating to a veterans lottery ticket, was taken up by Representative Solon.

On motion of Representative Solon, **HJR 45** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Pace	Parkinson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 014

Carlson	Ellinger	Ellington	Hummel	Kirkton
May	McCreery	McGhee	Montecillo	Morgan
Newman	Oxford	Pierson	Schupp	

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Brattin	Brown 50	Franklin	Hughes
Jones 117	Kander	Lasater	Lichtenegger	Phillips
Sater	Scharnhorst			

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 1318, relating to mental health facility employees, was taken up by Representative Riddle.

On motion of Representative Riddle, **HB 1318** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Brown 50	Franklin	Gatschenberger	Higdon
Holsman	Jones 117	Kander	Lasater	Lichtenegger
McGhee	Phillips	Sater	Scharnhorst	

Speaker Tilley declared the bill passed.

HCS HB 1731, relating to gaming and lottery moneys, was taken up by Representative Day.

On motion of Representative Day, **HCS HB 1731** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Hoskins	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schueffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Carter	Franklin	Higdon	Holsman
Hough	Jones 117	Kander	Lasater	Lichtenegger
Phillips	Sater	Scharnhorst	Webb	

Speaker Tilley declared the bill passed.

HCS HB 1030, relating to collection of state money, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 1030** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Carter	Day	Franklin	Higdon
Hough	Hughes	Jones 117	Kander	Lasater
Lichtenegger	McNary	Neth	Phillips	Sater
Scharnhorst	Webb			

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Hughes Marshall

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Brown 50	Carter	Day	Franklin
Higdon	Hough	Jones 117	Kander	Lasater
Lichtenegger	May	McNary	Phillips	Sater
Scharnhorst	Sifton	Webb	White	

HCS HB 1139, relating to the 2012 Missouri State Employee Incentive Program, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HCS HB 1139** was read the third time and passed by the following vote:

AYES: 110

Allen	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 038

Anders	Aull	Carlson	Casey	Colona
Ellinger	Ellington	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kirkton	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Sifton	Smith 71	Spreng	Swearingen	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 001

Conway 27

ABSENT WITH LEAVE: 014

Brattin	Brown 50	Carter	Day	Franklin
Higdon	Jones 117	Kander	Lasater	Lichtenegger
Phillips	Sater	Scharnhorst	Webb	

Speaker Tilley declared the bill passed.

HCS HB 1106, relating to county collectors, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1106** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 003

Hughes	Marshall	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Carter	Colona	Day	Elmer
Franklin	Funderburk	Higdon	Jones 63	Jones 117
Kander	Lasater	Lichtenegger	May	McNeil
Phillips	Sater	Scharnhorst	Webb	

Speaker Tilley declared the bill passed.

HCS HB 1174, relating to school accreditation, was taken up by Representative Lair.

On motion of Representative Lair, **HCS HB 1174** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Jones 63	Jones 89	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Brown 50	Carter	Day	Franklin
Higdon	Johnson	Jones 117	Kander	Lasater
Lichtenegger	Phillips	Sater	Scharnhorst	Webb

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Carter	Franklin	Higdon	Jones 117
Kander	Kelly 24	Lasater	Lichtenegger	Molendorp
Phillips	Redmon	Rowland	Sater	Scharnhorst
Webb				

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1393 - Financial Institutions

HB 1671 - Local Government

HB 1693 - Economic Development

HB 1794 - Special Standing Committee on Disability Services

HB 1803 - Professional Registration and Licensing

HB 1805 - Economic Development
HB 1810 - General Laws
HB 1820 - Local Government
HB 1841 - Small Business
HB 1848 - Special Standing Committee on Judicial Reform
HB 1852 - Professional Registration and Licensing
HB 1855 - Higher Education
HB 1859 - Special Standing Committee on Government Oversight and Accountability
HB 1862 - Crime Prevention and Public Safety
HB 1864 - Transportation
HB 1865 - Special Standing Committee on Government Oversight and Accountability
HB 1868 - Transportation
HB 1869 - Elections

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1862 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 37

WHEREAS, the United States relies - and will continue to rely for many years - on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy; and

WHEREAS, in order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

WHEREAS, the United States currently depends on foreign imports for more than half of its petroleum usage and is the largest consumer of petroleum in the world. United States dependence on overseas oil has created difficult geopolitical relationships with potentially damaging consequences for our national security; and

WHEREAS, oil deposits in the Bakken Reserves of Montana, North Dakota, and South Dakota are an increasingly important crude oil resource, with an estimated 11 billion barrels of recoverable crude oil. There is not enough pipeline capacity for crude oil supplies from Montana, North Dakota, South Dakota, Oklahoma, and Texas to American refineries; and

WHEREAS, Canadian oil reserves contain an estimated 173 billion barrels of recoverable oil. Canada is the single largest supplier of oil to the United States at 2.62 million barrels per day and has the capacity to significantly increase that rate; and

WHEREAS, the original Keystone Pipeline which spans across the northern part of Missouri supplies over 435,000 barrels of North American crude oil to American refineries in the Midwest. The Keystone XL Pipeline will,

when completed, carry 700,000 barrels of North American crude oil to American refineries in the Gulf Coast region; and

WHEREAS, construction of pipelines linking North American energy to the United States will create hundreds of thousands of jobs nationwide, including tens of thousands in construction and manufacturing, creating billions in economic growth and generating millions of dollars worth of government receipts; and

WHEREAS, a recent study by the United States Department of Energy found that increasing delivery of crude oil from Montana, North Dakota, South Dakota, and Alberta, Canada, as well as Texas and Oklahoma to American refineries has the potential to substantially reduce our country's dependency on sources outside of North America; and

WHEREAS, Canada sends more than 99% of its oil exports to the United States, the bulk of which goes to Midwestern refineries. Oil companies are investing huge sums to expand and upgrade refineries in the Midwest and elsewhere to make gasoline and other refined products from Canadian oil derived from oil sands. The expansion and upgrade projects have and will create many new construction jobs over the next five years and will add to the gross product of Missouri; and

WHEREAS, 99% of the money used to buy Canadian oil will likely later be spent directly on United States goods and services, in contrast with increasing the trade relationship with unstable regions. Supporting the continued shift towards reliable and secure sources of North American oil is of vital interest to the United States and the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly:

- (1) Support continued and increased development and delivery of oil derived from North American oil reserves to American refineries;
- (2) Urge the United States Congress to support continued and increased development and delivery of oil from Canada to the United States; and
- (3) Urge the United States Congress to enact legislation deeming the Keystone XL Pipeline to be in the national interest of the United States; and
- (4) Urge the United States Secretary of State to approve the Keystone XL pipeline project to ensure America's oil independence, improve our national security, reduce the cost of gasoline, create new jobs, and strengthen ties between the United States and Canada; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tem of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1111**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1326**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1395**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1498**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1621**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1644**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1722**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1449**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1527**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tax Reform, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 1569**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1150**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1402**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1275**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1637**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 89**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1051**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1073**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1096**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1165**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1169**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1212**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1231**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1266**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1296**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1317**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1325**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1331**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1337**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1361**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1373**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1400**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1462**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1462**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1466**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1492**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1525**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1549**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1577**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1634**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1641**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1659 & 1116**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1668**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 572**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1870, introduced by Representative Entlicher, relating to voting methods.

HB 1871, introduced by Representative Rizzo, relating to tax credits.

HB 1872, introduced by Representative Funderburk, relating to sales tax exemptions for various industries and political subdivisions.

HB 1873, introduced by Representatives Berry, Long, Wallingford, Solon, Reiboldt, Lant, Leach, Rizzo, Franz, Conway (14) and Brown (85), relating to state legal expense funds.

HB 1874, introduced by Representative Long, relating to taxes for transportation purposes.

HB 1875, introduced by Representatives Nance, Gosen, McGhee, Berry and Wieland, relating to vehicles purchased by insurers through the claims adjustment process.

HB 1876, introduced by Representatives Long, Lampe, Rowland, Burlison, Neth, Wallingford, Dieckhaus, Leach, Weter, Fraker, Redmon, Cross, Cookson, Aull, Morgan, Taylor, Ellington, Bahr, McGeoghegan, Oxford, Schieffer, Carter, Hughes, Holsman, Talboy, Jones (63), Nasheed and Riddle, relating to the A+ schools program.

HB 1877, introduced by Representatives Sommer, Kelley (126), Parkinson, Jones (89), Lichtenegger, Burlison and Cauthorn, relating to a prohibition on use of public assistance benefits for gambling.

HB 1878, introduced by Representative Riddle, relating to the designation of a memorial highway.

HB 1879, introduced by Representatives McNeil, White, Pace, Wyatt, Oxford, Morgan and Holsman, relating to school energy audits.

HB 1880, introduced by Representatives Pollock, Wells, Riddle, Hinson, Hoskins, Schatz and Denison, relating to centennial business recognition.

HB 1881, introduced by Representative Richardson, relating to workers' compensation.

HB 1882, introduced by Representative Brown (116), relating to food stamps assistance.

HB 1883, introduced by Representative Bernskoetter, relating to fireworks.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 562**, entitled:

An act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing boards of certain state universities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 563**, entitled:

An act to repeal sections 174.332 and 174.450, RSMo, and to enact in lieu thereof two new sections relating to governing boards of state universities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 568**, entitled:

An act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 578**, entitled:

An act to authorize the conveyance of property owned by the state in Pettis County to the City of Sedalia.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 648**, entitled:

An act to repeal section 302.130, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary driver instruction permits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 655**, entitled:

An act to amend chapter 173, RSMo, by adding thereto one new section relating to the higher education capital fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 690**, entitled:

An act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to surplus highway patrol property.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 736**, entitled:

An act to repeal section 137.556, RSMo, and to enact in lieu thereof one new section relating to the use of the special road and bridge tax in certain counties.

In which the concurrence of the House is respectfully requested.

RECESS

On motion of Representative Jones (89), the House recessed until such time that **HCR 8** is signed by the Speaker or until such time that the Senate adjourns without taking action on **HCR 8**.

The hour of recess having expired, the House was called to order by Speaker Tilley.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 8**.

SIGNING OF HOUSE CONCURRENT RESOLUTION

All other business of the House was suspended while **HCR 8** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCR 8** was delivered to the Governor by the Chief Clerk of the House.

The following members' presence was noted: Franklin, Jones (117), Lichtenegger and Scharnhorst.

ADJOURNMENT

On motion of Speaker Tilley, the House adjourned until 4:00 p.m., Monday, March 5, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-third Day, Wednesday, February 29, 2012, Page 461, Line 22, by inserting immediately after the name "Korman" the name "McGhee".

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 6, 2012, 1:00 PM House Hearing Room 6.

Executive session will be held: HB 1462

Executive session may be held on any matter referred to the committee.

There will be a work session on HB 1660. Please note time change.

BUDGET

Monday, March 5, 2012, 10:00 AM House Hearing Room 3.

Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

Executive session may be held on any matter referred to the committee.

Review of House Committee Substitutes for House Bills 2001 through 2013

BUDGET

Wednesday, March 7, 2012, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 2001 through 2013

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 5, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1747, HB 1516, HB 1368, HB 1423

Executive session may be held on any matter referred to the committee.

AMENDED

ELECTIONS

Tuesday, March 6, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HJR 75, HB 1869

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1847

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, March 6, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1855, HB 1353

Executive session will be held: HB 1353, HB 1257, HB 1587

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1855, HB 1353

Executive session will be held: HB 1353, HB 1257, HB 1587

Executive session may be held on any matter referred to the committee.

CANCELLED

RETIREMENT

Monday, March 5, 2012, 2:30 PM House Hearing Room 6.

Public hearing will be held: HB 1741

Executive session will be held: HB 1226

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Monday, March 5, 2012, 3:30 PM South Gallery.

Executive session will be held: HCS HB 1214, HCS HB 1319, 1045 & 1369, HCS HB 1449

Executive session may be held on any or all bills referred to this committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND
ACCOUNTABILITY

Monday, March 5, 2012, 11:00 AM House Hearing Room 5.

Public hearing will be held: HB 1859, HB 1865

Executive session will be held: HB 1359, HB 1383

Executive session may be held on any matter referred to the committee.

No meal provided.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, March 12, 2012, 11:00 AM House Hearing Room 5.

Public hearing will be held: HB 1859, HB 1865

Executive session will be held: HB 1359, HB 1383

Executive session may be held on any matter referred to the committee.

No meal will be provided.

CANCELLED

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, March 6, 2012, 2:00 PM House Hearing Room 6.

Public hearing will be held: HJR 78

Executive session may be held on any matter referred to the committee.

Executive session **WILL** be held.

URBAN ISSUES

Monday, March 5, 2012, Upon Evening Adjournment House Hearing Room 5.

Public hearing will be held: HB 1665

Executive session will be held: HB 1665

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 5, 2012, 2:00 PM House Hearing Room 2.

Public hearing will be held: HB 1066, HB 1862

Executive session will be held: HB 1403, HB 1367

Executive session may be held on any matter referred to the committee.

AMENDED

HOUSE CALENDAR

THIRTY-FIFTH DAY, MONDAY, MARCH 5, 2012

HOUSE BILLS FOR SECOND READING

HB 1870 through HB 1883

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1193 - Frederick
- 2 HCS HB 1220 - Hubbard
- 3 HB 1513 - Franz
- 4 HB 1029 - Flanigan
- 5 HCS HB 1042 - Thomson

- 6 HCS HB 1123 - Frederick
- 7 HB 1191 - Ruzicka
- 8 HCS HB 1300 - Franz
- 9 HCS HB 1324 - Loehner
- 10 HB 1431 - Hoskins
- 11 HCS HB 1495 - Nance
- 12 HCS HB 1198 - Fisher
- 13 HB 1051 - Allen
- 14 HCS HB 1169 - Franz
- 15 HCS HB 1212 - Smith (150)
- 16 HB 1296 - Davis
- 17 HCS#2 HB 1317 - Riddle
- 18 HB 1331 - Jones (117)
- 19 HCS HB 1361 - Pollock
- 20 HB 1466 - Nasheed
- 21 HCS HB 1525 - Fuhr
- 22 HCS HBs 1659 & 1116 - Torpey

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

(3/5/2012)

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HB 1349 - Jones (117)
- 3 HCS HBs 1298 & 1180 - Parkinson
- 4 HCS HB 1072 - Sater

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter

SENATE BILLS FOR SECOND READING

- 1 SCS SB 562
- 2 SCS SB 563
- 3 SB 568
- 4 SB 578
- 5 SCS SB 648
- 6 SCS SB 655
- 7 SB 690
- 8 SB 736

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 22 - Walton Gray
- 2 HCS HCR 32 - Cookson

SENATE BILLS FOR THIRD READING

SS SCS SB 572, E.C. - Richardson

HOUSE RESOLUTIONS

HR 89 - McGhee

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FIFTH DAY, MONDAY, MARCH 5, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

O Lord, the beings in the heavens continually sing “HOLY, HOLY, HOLY is THE LORD GOD, THE ALMIGHTY, WHO WAS AND WHO IS AND WHO IS TO COME...Worthy are You, our Lord and our God, to receive glory and honor and power; for You created all things, and because of Your will they existed, and were created”.
(Revelation 4:8b, 11)

It is to You, glorious LORD, that we offer up this prayer; a prayer on behalf of these, Your servants who govern this great state.

Father, while we continue to pray for the supply of wisdom, discernment, humility and grace that each one needs today, I also lift up a special request to You.

O Lord, please guard and guide each one who is married. May each husband love and cherish the wife You have given him as Christ loves the church. And may each wife show proper respect to her husband. Allow not the pressures and busyness of this profession come between what has been put together. May not another marriage be sacrificed upon the idolatrous altar of politics. It simply is not worth it.

May each one here who has children raise them in the grace and knowledge of You.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Pastan Gladden and Karissa Sandfort.

The Journal of the thirty-fourth day was approved as printed.

HOUSE RESOLUTION

Representative Jones (89) offered House Resolution No. 959.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 955 through House Resolution No. 958

House Resolution No. 960 through House Resolution No. 989

SECOND READING OF HOUSE BILLS

HB 1870 through **HB 1883** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 562, SCS SB 563, SB 568, SB 578, SCS SB 648, SCS SB 655, SB 690 and **SB 736** were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1037, relating to road district commissioners, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1037** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Kander	Keeney	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Aull	Barnes	Brown 116	Day	Ellinger
Funderburk	Hughes	Jones 63	Jones 117	Kelley 126
Meadows	Nolte	Smith 71	Solon	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1114, relating to Taney County emergency services, was taken up by Representative Weter.

On motion of Representative Weter, **HB 1114** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 004

Cierpiot	Koenig	Leara	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 017

Aull	Barnes	Brown 116	Curtman	Dieckhaus
Dugger	Ellinger	Entlicher	Funderburk	Hughes
Jones 63	Klippenstein	Largent	Meadows	Nolte
Smith 71	Solon			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 1349, relating to irrevocable life insurance trusts, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1349** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 014

Aull	Berry	Brown 116	Day	Dieckhaus
Diehl	Ellinger	Funderburk	Hughes	Jones 63
Largent	Meadows	Nolte	Smith 71	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1072, relating to the Volunteer Health Services Act, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 1072** was read the third time and passed by the following vote:

AYES: 110

Allen	Asbury	Bahr	Bernskoetter	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 037

Anders	Atkins	Carlson	Colona	Ellington
Holsman	Hummel	Kander	Kratky	Lampe
Lasater	Leach	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols

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Oxford	Pierson	Rizzo	Schupp	Sifton
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 016

Aull	Barnes	Berry	Brown 116	Day
Dieckhaus	Diehl	Ellinger	Funderburk	Hughes
Jones 63	Largent	Meadows	Nolte	Richardson
Smith 71				

Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 31 - Agri-Business

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1543 - Retirement
HB 1715 - General Laws
HB 1811 - Health Care Policy
HB 1813 - Tourism and Natural Resources
HB 1835 - Tax Reform
HB 1837 - Workforce Development and Workplace Safety
HB 1856 - General Laws
HB 1860 - Agri-Business
HB 1863 - Tourism and Natural Resources
HB 1867 - Crime Prevention and Public Safety
HB 1880 - Transportation

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 719 - Tourism and Natural Resources

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, the State of Missouri has a proud agricultural tradition, with the first farms in this state established around 1725 by French settlers in the St. Genevieve area; and

WHEREAS, today in Missouri, according to the 2007 Census of Agriculture:

- (1) 66% of Missouri's total land area is farmland;
- (2) 53% of Missouri's total agricultural receipts came from livestock;
- (3) Missouri ranks 2nd in the nation in the number of farms, with 108,000 farms. The average farm size is 269 acres, with 86% of all Missouri farms having less than 500 acres of land;
- (4) 88% of all farm operations in this state were owned by individuals, families, or sole proprietors. Only 0.3% were owned by nonfamily corporations;
- (5) Missouri has \$7.51 billion value in agricultural products sold each year, with cattle and calves, hogs, and turkeys as Missouri's top livestock crops; and
- (6) Missouri ranks 14th in the nation in total value of agricultural products sold. In 2009, 30% of Missouri's top agricultural production was in cattle and calves (16.1%), hogs (10%), and turkeys (4%); and

WHEREAS, in 2009, Missouri ranked 12th in the nation in agricultural exports, with livestock animals and meat as the 3rd highest agricultural export in the state; and

WHEREAS, with animal agriculture playing such a vital role in the lives of Missourians, it is appropriate to set aside one day to celebrate Missouri's animal agriculture industry in Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate October 3, 2012, as "Missouri Animal Agriculture Day" and encourage all citizens of this state to commemorate the day by eating and enjoying the fine meat selections raised in Missouri, including beef, pork, chicken, and turkey, as well as our wild game of deer, turkey, rabbit, and elk, and the many fish from our lakes, rivers, streams, and creeks.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, over the course of the Spring and Summer of 2011, unprecedented releases of water upstream by the U.S. Army Corps of Engineers have caused extensive pressure on the river levees in the state of Missouri that protect many communities, businesses, and prime agricultural lands; and

WHEREAS, in the face of this tremendous pressure some of Missouri's levees have been intentionally and unintentionally breached, resulting in widespread flooding, which has proved devastating to many Missouri homes, farms, families, and livelihoods; and

WHEREAS, last summer, the U.S. Army Corps of Engineers intentionally breached the Birds Point levee in southeast Missouri which resulted in the flooding of 130,000 acres of mostly agricultural land; and

WHEREAS, Missouri families have suffered unprecedented losses as a result of this situation and many Missouri farmers have experienced a complete and total loss of agricultural production, resulting in decimated farm incomes and ravaged local economies; and

WHEREAS, according to a June 2011 report drafted by the Food and Agriculture Policy Research Institute of the University of Missouri, the breach of the levee and subsequent flooding of crop lands in Southeast Missouri has resulted in economic losses totaling \$60.6 million, a combination of forgone net returns and incurred production expenses in the affected area; and

WHEREAS, according to the University of Missouri Extension, the southeast Missouri region produced the following shares of the state's total production of specific agricultural commodities in 2010:

- 1) 100% of total cotton production in Missouri;
- 2) 99.6% of total rice production in Missouri;
- 3) 52.9% of total wheat production in Missouri;
- 4) 21.4% of total grain sorghum production in Missouri;
- 5) 18.1% of total soybean production in Missouri;
- 6) 15.4% of total corn production in Missouri; and

WHEREAS, with the agricultural production of southeast Missouri accounting for approximately one-third of the state's total economy, the catastrophic results of the flooding of agricultural land due to the intentional breach of the Birds Point levee in southeast Missouri has a significant economic impact for the entire state. This complete and total loss of agricultural production at a time when our state's economy is experiencing recession can only exacerbate the state's current economic hardships; and

WHEREAS, the flood waters have not yet receded in some parts of Missouri and continue to disrupt the lives of hard-working Missourians; and

WHEREAS, even after the flood waters recede, much work will need to be done to restore the productivity of the damaged agricultural land and repair the ruined homes and businesses; and

WHEREAS, the U.S. Army Corps of Engineers is charged with management of the nation's rivers and flood control is one of the primary purposes for which the rivers are to be managed; and

WHEREAS, the original flood plan was authorized in 1928 in response to severe flooding of the Mississippi River in 1927. The U.S. Army Corps of Engineers is obligated to re-examine the flood plan in light of the devastating losses, both short-term and long-term, suffered in this state as a result of the unprecedented releases of water upstream and the intentional breach of the Birds Point levee by the U.S. Army Corps of engineers during the Spring and Summer of 2011:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the U.S. Army Corps of Engineers to:

- 1) Re-examine the flood control operations for the Missouri and Mississippi rivers; and
 - 2) Manage the rivers in such a way as to avoid the devastating flooding disasters that have occurred this year;
- and
- 3) Rebuild the damaged levees to at least their previous heights as expediently as possible; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly encourage communities, families and other stakeholders to work together to restore the prime agricultural lands that have been damaged by the recent flooding so that the productive value of these lands is not irrevocably lost; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly strongly encourage the members of the Missouri Congressional delegation to actively support policies for the management of the Missouri River that minimize devastating flood events such as those that have been experienced by so many Missourians this summer; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Secretary of the U.S. Army and the members of the Missouri Congressional delegation.

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1424**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1647**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1862**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1738**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1214**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1319, 1045 & 1369**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1449**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1621**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1884, introduced by Representatives Marshall, White, Schad and Leach, relating to liability for driving while intoxicated.

HB 1885, introduced by Representative Schneider, relating to complaints against real estate appraisers.

HB 1886, introduced by Representative Grisamore, relating to youth with disabilities.

HB 1887, introduced by Representative Grisamore, relating to sheltered workshop boards.

HB 1888, introduced by Representative Grisamore, relating to advocacy for persons with disabilities.

HB 1889, introduced by Representative Denison, relating to towing operations.

HB 1890, introduced by Representative Molendorp, relating to an actuarial analysis of the cost impact of insurance mandates.

HB 1891, introduced by Representative Diehl, relating to municipal services in St. Louis county.

The following members' presence was noted: Brown (116) and Smith (71).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 6, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 6, 2012, 1:00 PM House Hearing Room 6.

Executive session will be held: HB 1462

Executive session may be held on any matter referred to the committee.

There will be a work session on HB 1660. Please note time change.

BUDGET

Wednesday, March 7, 2012, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

Executive session will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 2001 through 2013

AMENDED

CHILDREN AND FAMILIES

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1267, HB 1470, HB 1362, HB 1445, HB 1145

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, March 7, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1136, HB 1642, HB 1456

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, March 6, 2012, 5:00 PM House Hearing Room 3.

Public hearing will be held: HB 1710, HB 1709, HB 1693

Executive session may be held on any matter referred to the committee.

Work session may follow.

ELECTIONS

Tuesday, March 6, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HJR 75, HB 1869

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1718

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, March 6, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1109, HB 1170, HB 1315, HB 1534, HCR 36, HCR 7, HJR 49, HJR 64, HB 1810

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH CARE POLICY

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1847

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, March 6, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1580, HB 1827

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, March 6, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1855, HB 1353

Executive session will be held: HB 1353, HB 1257, HB 1587

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1855, HB 1353

Executive session will be held: HB 1353, HB 1257, HB 1587

Executive session may be held on any matter referred to the committee.

CANCELLED

JUDICIARY

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1202, HB 1655, HB 1817, HB 1627

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1820, HB 1671, HB 1358

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, March 8, 2012, 12:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Upon adjournment, Executive session only

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 7, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1769, HB 1563, HB 1803, HB 1852

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 6, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1662

Executive session will be held: HB 1524

Executive session may be held on any matter referred to the committee.

HCS HB 1524 referred back to Rural Community Development Committee

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, March 12, 2012, 11:00 AM House Hearing Room 5.

Public hearing will be held: HB 1859, HB 1865

Executive session will be held: HB 1359, HB 1383

Executive session may be held on any matter referred to the committee.

No meal will be provided.

CANCELLED

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, March 6, 2012, 2:00 PM House Hearing Room 6.

Public hearing will be held: HJR 78

Executive session may be held on any matter referred to the committee.

Executive session WILL be held.

TAX REFORM

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HJR 71, HB 1835

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 6, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 1737, HB 1807, HB 1782, HB 1864, HB 1868

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, March 6, 2012, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 1454, HB 1632

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, March 6, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1316

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SIXTH DAY, TUESDAY, MARCH 6, 2012

HOUSE BILLS FOR SECOND READING

HB 1884 through HB 1891

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1193 - Frederick
- 2 HCS HB 1220 - Hubbard
- 3 HB 1513 - Franz
- 4 HB 1029 - Flanigan
- 5 HCS HB 1042 - Thomson
- 6 HCS HB 1123 - Frederick
- 7 HB 1191 - Ruzicka
- 8 HCS HB 1300 - Franz
- 9 HCS HB 1324 - Loehner
- 10 HB 1431 - Hoskins
- 11 HCS HB 1495 - Nance
- 12 HCS HB 1198 - Fisher
- 13 HB 1051 - Allen
- 14 HCS HB 1169 - Franz
- 15 HCS HB 1212 - Smith (150)
- 16 HB 1296 - Davis
- 17 HCS#2 HB 1317 - Riddle
- 18 HB 1331 - Jones (117)
- 19 HCS HB 1361 - Pollock
- 20 HB 1466 - Nasheed
- 21 HCS HB 1525 - Fuhr
- 22 HCS HBs 1659 & 1116 - Torpey
- 23 HCS HB 1214 - Torpey
- 24 HCS HBs 1319, 1045 & 1369 - Riddle
- 25 HCS HB 1449 - Berry
- 26 HB 1504 - Richardson
- 27 HB 1621 - Brown (116)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

(3/5/2012)

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 22 - Walton Gray
- 2 HCS HCR 32 - Cookson

SENATE BILLS FOR THIRD READING

SS SCS SB 572, E.C. - Richardson

HOUSE RESOLUTIONS

HR 89 - McGhee

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SIXTH DAY, TUESDAY, MARCH 6, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Brett Capranica, Summit Woods Baptist Church, Lee's Summit, MO.

Most High God, as one ancient ruler once acknowledged:

You are “the Most High and praised and honored,” the one “who lives forever, for Your dominion is an everlasting dominion, and Your kingdom endures from generation to generation” (*Daniel 4:34*). Your “works are right and Your ways are just; and those who walk in pride You are able to humble.” (*Daniel 4:37*).

So we begin this day of legislation acknowledging You as the supreme lawmaker and ultimate king. We humble ourselves in recognition that justice is not determined by human pleasures, but by who You have revealed Yourself to be through the Holy Scriptures. Wisdom is not found in man-made principles but from the foundation of fearing You as the Almighty. Mercy is not calculated according to natural inclinations, but by the heights and depths by which You have shown Your own love to us through Your Son. All human authority is a derived authority, fixed by Your sovereign pleasure.

And so we pray with humility to You. Govern Your creation through these men and women whom You have sent as Your servants for good. For each of these leaders, along with all who interact with them, give them a humbled sense that they serve a cause, a purpose, a society, and a creator all much greater than themselves. As they serve the people of Missouri, may they have a strong sense that they are serving You by Your pleasure. Let Your supremacy season every debate, conversation, vote, and legal measure presented here this day.

We acknowledge You as the Most High. We humble ourselves as people here to carry out Your pleasure.

To the honor of Your great name, O Lord, I pray in Your Son’s name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chance Bedell, Chloe Bedell, Jacob Vegso, Montana Bedell and Tate Bedell.

The Journal of the thirty-fifth day was approved as printed.

SPECIAL RECOGNITION

Max Deforest, a World War II Veteran, was introduced by Representative Denison and was recognized as an Outstanding Missourian.

SECOND READING OF HOUSE BILLS

HB 1884 through **HB 1891** were read the second time.

PERFECTION OF HOUSE BILLS

HCS#2 HB 1317, relating to abuse of a child, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS#2 HB 1317** was adopted.

On motion of Representative Riddle, **HCS#2 HB 1317** was ordered perfected and printed.

HCS HB 1525, relating to the Justice Reinvestment Act, was taken up by Representative Fuhr.

Representative Jones (63) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1525, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

“195.222. 1. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

2. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

3. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than [two] **twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than [two] **twenty eight** grams but less than [six] **two hundred eighty** grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is [six] **two hundred eighty** grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

4. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or

produce more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one gram or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

5. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

6. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is twelve grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

7. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty kilograms of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

8. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

9. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he or she distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the

accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

195.223. 1. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

2. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be guilty of a class B felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be guilty of a class A felony.

3. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than [two] **twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than [two] **twenty eight** grams but less than [six] **two hundred eighty** grams the person shall be guilty of a class B felony;

(2) If the quantity involved is [six] **two hundred eighty** grams or more the person shall be guilty of a class A felony.

4. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be guilty of a class B felony;

(2) If the quantity involved is one gram or more the person shall be guilty of a class A felony.

5. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

6. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be guilty of a class B felony;

(2) If the quantity involved is twelve grams or more the person shall be guilty of a class A felony.

7. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty kilograms or more of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be guilty of a class B felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be guilty of a class A felony.

8. A person commits the class A felony of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred marijuana plants.

9. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.

10. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he or she possesses or has under his or her control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (63) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Nance offered **House Amendment No. 2**.

Representative Barnes raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Fuhr, **HCS HB 1525** was adopted.

On motion of Representative Fuhr, **HCS HB 1525** was ordered perfected and printed.

HCS HB 1193, relating to the Prescription Drug Monitoring Program Act, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 1193** was adopted.

On motion of Representative Frederick, **HCS HB 1193** was ordered perfected and printed.

HCS HB 1198, relating to prevailing wages, was taken up by Representative Fisher.

HCS HB 1198 was laid over.

HCS HB 1220, relating to children of incarcerated mothers, was taken up by Representative Hubbard.

Representative Hubbard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1220, Page 1, Section 217.145, Line 4, by inserting immediately after the word “**rights**” the following:

“, **except that a person who has pled guilty to or been found guilty of any of the offenses listed in subsection 1 of section 210.117 when the victim of the crime is a child or of child abuse under sections 210.109 to 210.183 shall not be eligible to participate in the program**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hubbard, **House Amendment No. 1** was adopted.

Representative Hubbard offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1220, Page 2, Section 217.145, Line 33, by deleting the words “**which houses women**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hubbard, **House Amendment No. 2** was adopted.

On motion of Representative Hubbard, **HCS HB 1220, as amended**, was adopted.

On motion of Representative Hubbard, **HCS HB 1220, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tyler Kesselring, Judah Kesselring, Augustine Kesselring and Abigal Culpepper.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 990 through House Resolution No. 1034

PERFECTION OF HOUSE BILLS

HB 1029, relating to state agency program evaluations, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 1029** was ordered perfected and printed.

HB 1431, relating to an aviation jet fuel tax exemption, was taken up by Representative Hoskins.

Representative Webber offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1431, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal section 144.805, RSMo, and to enact in lieu thereof two new sections relating to aviation sales taxes."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"94.1050. 1. The governing body of any home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof. The tax shall be not more than three percent per occupied room per night, and shall be imposed solely for the purpose of funding improvements to any regional airport owned and operated by such city and any other economic development purpose. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance shall become effective unless the governing body of the city submits to the voters of the city on any date available for elections for the city a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue generated by the tax shall be collected by the city and shall be deposited in a special trust fund. If the tax is repealed, all funds remaining in the special trust fund shall be used as determined by the

governing body of the city. Any funds in the special trust fund that are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which all bonds repaid by the revenue generated by such tax are repaid in full. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city, and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which all bonds repaid by the revenue generated by such tax are repaid in full. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters of the city and the repeal is approved by a majority of the qualified voters voting on the question.

6. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for twenty-eight days or less during any calendar quarter."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Webber, **House Amendment No. 1** was adopted.

On motion of Representative Hoskins, **HB 1431, as amended**, was ordered perfected and printed.

HCS HB 1495, relating to reporting of insurance fraud, was taken up by Representative Nance.

On motion of Representative Nance, **HCS HB 1495** was adopted.

On motion of Representative Nance, **HCS HB 1495** was ordered perfected and printed.

HCS HB 1212, relating to vehicles hauling livestock or milk, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1212** was adopted.

On motion of Representative Smith (150), **HCS HB 1212** was ordered perfected and printed.

HOUSE CONCURRENT RESOLUTION

HCS HCR 32, relating to land/water conservation, was taken up by Representative Cookson.

Representative Keeney assumed the Chair.

On motion of Representative Cookson, **HCS HCR 32** was adopted by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schamhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Guernsey	Holsman	Lasater	Meadows
Oxford	Schneider			

HOUSE RESOLUTION

HR 89, relating to house employees, was taken up by Representative McGhee.

On motion of Representative McGhee, **HR 89** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schamhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 013

Berry	Curtman	Day	Dieckhaus	Diehl
Dugger	Funderburk	Lasater	Long	Meadows
Oxford	Shively	Mr Speaker		

PERFECTION OF HOUSE BILLS

HB 1331, relating to transfer of retirement service, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1331** was ordered perfected and printed.

HCS HB 1123, relating to licensure of hospitals, was taken up by Representative Frederick.

Representative Frederick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1123, Page 2, Section 197.080, Lines 33-34, by deleting the words “**threat of immediate jeopardy of safety**” and inserting in lieu thereof the following:

“**documented immediate and serious threat, as defined directly and through interpretive guidelines included in hospital licensure regulations promulgated under this chapter,**”; and

Further amend said bill, Page 3, Section 197.100, Lines 14-15, by deleting the words “**threat of immediate jeopardy of safety**” and inserting in lieu thereof the following:

“**immediate and serious threat, as defined directly and through interpretive guidelines included in hospital licensure regulations promulgated under this chapter,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

On motion of Representative Frederick, **HCS HB 1123, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 1123, as amended**, was ordered perfected and printed.

HB 1513, relating to animal rights, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1513** was ordered perfected and printed.

HB 1466, relating to the Math and Science Tutoring Act, was taken up by Representative Nasheed.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Elmer	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schamhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Carlson	Conway 14	Day	Denison	Diehl
Dugger	Entlicher	Fraker	Funderburk	Hoskins
Hughes	Lampe	Largent	Lasater	Leach
Meadows	Neth	Oxford	Schneider	

On motion of Representative Nasheed, **HB 1466** was ordered perfected and printed by the following vote:

AYES: 101

Allen	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Cross
Dieckhaus	Ellinger	Ellington	Fallert	Fisher
Flanigan	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Holsman	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Korman	Kratky	Lair	Lant
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McGeoghegan	McGhee	McNary	Montecillo
Nasheed	Neth	Nichols	Pace	Parkinson
Phillips	Pierson	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Scharnhorst	Schieffer	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 71
Smith 150	Spreng	Stream	Swearingen	Talboy
Taylor	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	Wieland	Wright	Zerr
Mr Speaker				

NOES: 046

Anders	Asbury	Brattin	Brown 116	Burlison
Conway 14	Crawford	Curtman	Davis	Elmer
Fitzwater	Franklin	Franz	Hampton	Hodges
Kelly 24	Koenig	Lauer	Leara	Marshall
McCreery	McDonald	McManus	McNeil	Molendorp
Morgan	Nance	Newman	Pollock	Quinn
Redmon	Ruzicka	Sater	Schad	Schatz
Schieber	Schupp	Shively	Solon	Sommer
Still	Swinger	Thomson	Wells	White
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 016

Carlson	Day	Denison	Diehl	Dugger
Entlicher	Fraker	Funderburk	Hoskins	Lampe
Largent	Lasater	Leach	Meadows	Nolte
Oxford				

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 42 - Special Standing Committee on Disability Services

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1500 - Judiciary
HB 1698 - Judiciary
HB 1788 - Transportation Funding and Public Institutions
HB 1818 - General Laws
HB 1857 - Retirement
HB 1875 - Insurance Policy
HB 1878 - Transportation
HB 1890 - Health Insurance

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 736 - Local Government

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was returned **HB 1462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1094**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was returned **HB 1524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1662**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1488**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1691**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1403**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HBs 1098 & 1084, HCS HB 1108, HB 1236, HCS HBs 1258, 1259 & 1260, HCS HB 1340, HB 1404 and HCS HB 1576.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1892, introduced by Representative Asbury, relating to salvage vehicles.

HB 1893, introduced by Representatives Carter, Webb and Nasheed, relating to teacher tenure.

HB 1894, introduced by Representatives Carter, Jones (63), Oxford, Ellington and Pace, relating to trafficking drugs.

HB 1895, introduced by Representatives Loehner, Wright, Johnson, Reiboldt, Entlicher, Dugger, Quinn, Shively, Schieffer, Swinger, Nance and Aull, relating to University of Missouri extension districts.

HB 1896, introduced by Representatives Cauthorn, Still, Quinn, Webber, Barnes, Kelly (24), Ellinger, Bernskoetter, Asbury and Jones (117), relating to sexual offenses.

HB 1897, introduced by Representatives Cox, Kelly (24) and Barnes, for the sole purpose of restructuring the Missouri criminal code.

HB 1898, introduced by Representatives Brown (50), Nasheed, Hubbard, McCaherty, Hodges, Conway (27) and Hughes, relating to urban historic districts.

HB 1899, introduced by Representatives Curtman, Houghton and Schatz, relating to motor vehicle sales by dealers.

HB 1900, introduced by Representatives Redmon, Klippenstein, White, Fitzwater, Elmer and Crawford, for the sole purpose of restructuring statutes based on executive branch reorganizations.

HB 1901, introduced by Representative Grisamore, relating to voter accessibility.

HB 1902, introduced by Representative Grisamore, relating to state procurement.

HB 1903, introduced by Representatives Koenig, Brattin, Brown (116), Higdon, White, Wieland, Davis, Curtman, Schatz, Hinson, Marshall, Rowland, Haefner, Cauthorn, Bernskoetter, Zerr, Tilley, Pollock, Gatschenberger, Bahr, Kelley (126), Franklin, Crawford, Riddle, Allen, Flanigan, Lant, Lair, Lichtenegger and McNary, relating to food stamps.

COMMITTEE APPOINTMENTS

March 2, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jonas Hughes to the Committee on Downsizing State Government.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

March 2, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Gail McCann Beatty to the Committee on Appropriations - Health, Mental Health, and Social Services.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

COMMITTEE CHANGES

March 6, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Genise Montecillo from the Special Standing Committee on Renewable Energy and appoint Representative Jeanette Mott Oxford.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

March 2, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Webber from the Committee on Economic Development.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

The following members' presence was noted: Lasater and Oxford.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 7, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, March 8, 2012, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 1860, HCR 31

Executive session may be held on any matter referred to the committee.

BUDGET

Wednesday, March 7, 2012, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

Executive session will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 2001 through 2013

AMENDED

CHILDREN AND FAMILIES

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1267, HB 1470, HB 1362, HB 1445, HB 1145

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, March 7, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1136, HB 1642, HB 1456

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1867, HB 1767, HB 1532

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Wednesday, March 7, 2012, Upon Morning Recess South Gallery.

Executive session will be held: HB 1608

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1718

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 8, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any and all bills assigned to the committee

GENERAL LAWS

Thursday, March 8, 2012, 9:00 AM North Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1847, HB 1811

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH INSURANCE

Thursday, March 8, 2012, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 1890

Executive session may be held on any matter referred to the committee.

AMENDED

HIGHER EDUCATION

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1855, HB 1353

Executive session will be held: HB 1353, HB 1257, HB 1587

Executive session may be held on any matter referred to the committee.

CANCELLED

JUDICIARY

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1202, HB 1655, HB 1817, HB 1627

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1820, HB 1671, HB 1358

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, March 8, 2012, 12:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Upon adjournment, executive session only

CANCELLED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 7, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1563, HB 1803, HB 1852

Executive session may be held on any matter referred to the committee.

AMENDED

SMALL BUSINESS

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1065, HB 1674, HB 1702, HB 1841, HB 1146

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND
ACCOUNTABILITY

Monday, March 12, 2012, 11:00 AM House Hearing Room 5.

Public hearing will be held: HB 1859, HB 1865

Executive session will be held: HB 1359, HB 1383

Executive session may be held on any matter referred to the committee.

No meal will be provided.

CANCELLED

TAX REFORM

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HJR 71, HB 1835

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 8, 2012, 9:00 AM House Hearing Room 7.

Public hearing will be held: HB 1752, HB 1744, HB 1408

Executive session may be held on any matter referred to the committee.

UTILITIES

Thursday, March 8, 2012, 9:00 AM House Hearing Room 6.

Executive session will be held: HB 1316

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 8, 2012, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 1446, HB 1717

Executive session will be held: HB 1717

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 7, 2012

HOUSE BILLS FOR SECOND READING

HB 1892 through HB 1903

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1042 - Thomson
- 2 HB 1191 - Ruzicka
- 3 HCS HB 1300 - Franz
- 4 HCS HB 1324 - Loehner
- 5 HCS HB 1198 - Fisher
- 6 HB 1051 - Allen
- 7 HCS HB 1169 - Franz
- 8 HB 1296 - Davis
- 9 HCS HB 1361 - Pollock
- 10 HCS HBs 1659 & 1116 - Torpey

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- 11 HCS HB 1214 - Torpey
- 12 HCS HBs 1319, 1045 & 1369 - Riddle
- 13 HCS HB 1449 - Berry
- 14 HB 1504 - Richardson
- 15 HB 1621 - Brown (116)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/5/2012)

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

HOUSE CONCURRENT RESOLUTIONS

HCR 22 - Walton Gray

SENATE BILLS FOR THIRD READING

SS SCS SB 572, E.C. - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 7, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Rodney Schad.

Our Father in Heaven, we bow our heads before You in reverence because of who You are. You are our holy, loving and merciful Father and we stand here today in awe of You and Your compassion for us in this life. We are Your servants and just now we praise You and thank You for this life and all the joy that it brings. We give You thanks for our health and we pray for Your healing for those we love who are hurting or sick or broken.

We lift up to You our service men and women wherever they may be serving and ask for their safety and protection. Be with our families this week as distance separates us and allow them to feel Your comfort and peace as we work to accomplish Your will and Your purpose. Your Word declares "The fear of the Lord is the beginning of knowledge but fools despise wisdom and discipline."

At this hour on this day in this place we seek Your help and Your wisdom to do the work that You have called us to do. You know our needs before we speak and yet as Your children we ask that You be with us as we strive to represent and serve the people of Missouri. We pray all this in the name of Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Maranda Burke.

The Journal of the thirty-sixth day was approved as printed.

SECOND READING OF HOUSE BILLS

HB 1892 through **HB 1903** were read the second time.

Representative Diehl assumed the Chair.

THIRD READING OF SENATE BILL

SS SCS SB 572, relating to workers' compensation, was taken up by Representative Richardson.

Representative Morgan requested a division of the question on **SS SCS SB 572**.

Representative Diehl requested a parliamentary ruling.

The division of the question was denied by the Parliamentary Committee.

On motion of Representative Richardson, **SS SCS SB 572** was truly agreed to and finally passed by the following vote:

AYES: 087

Allen	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leara
Loehner	Long	McNary	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Shumake
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wyatt	Mr Speaker			

NOES: 068

Anders	Asbury	Aull	Barnes	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Ellington	Fallert	Grisamore
Harris	Higdon	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Silvey
Smith 71	Sommer	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber
Weter	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 008

Atkins	Funderburk	Hughes	Lichtenegger	McGhee
McManus	Meadows	Schneider		

Representative Diehl declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 078

Allen	Bahr	Bernskoetter	Berry	Brandom
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Hoskins	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leara	Loehner	Long	McNary	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schoeller	Shumake	Smith 150
Solon	Stream	Swinger	Thomson	Wallingford
Wells	White	Mr Speaker		

NOES: 078

Anders	Asbury	Atkins	Aull	Barnes
Black	Brattin	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Grisamore	Harris	Higdon	Hinson
Hodges	Holsman	Hough	Hubbard	Hughes
Hummel	Jones 63	Jones 117	Kander	Kelly 24
Kirkton	Kratky	Lampe	Lasater	Leach
Lichtenegger	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Silvey	Smith 71	Sommer	Spreng
Still	Swearingen	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Weter	Wieland
Wright	Wyatt	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	McGhee	McManus	Meadows	Molendorp
Nolte	Schneider			

PERFECTION OF HOUSE BILLS

HCS HBs 1659 & 1116, relating to a land bank agency in Kansas City, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HBs 1659 & 1116** was adopted.

On motion of Representative Torpey, **HCS HBs 1659 & 1116** was ordered perfected and printed.

HCS HB 1214, relating to an entrepreneur resource network, was taken up by Representative Torpey.

Representative Johnson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1214, Page 2, Section 620.2400, Line 18, by inserting after the number, “2.” the following:

“The network must have specific sections containing information for anyone considering starting a business, information for anyone that has decided to start a Missouri business, information about expanding a Missouri business, information about moving a business to Missouri from another state, and information about moving a business to Missouri from another country, with links to each section prominently displayed on the website home page. Missouri small business and technology development centers must apply search engine optimization to the website’s content to achieve top search engine rankings.

3.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 1** was adopted.

Representative Anders offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1214, Page 2, Section 620.2400, Line 27, by inserting after the word “**section.**” the following:

“Included in the report shall be detailed information on donations received and expenditures by the Missouri small business and technology development centers on the MERVN.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Anders, **House Amendment No. 2** was adopted.

On motion of Representative Torpey, **HCS HB 1214, as amended**, was adopted.

On motion of Representative Torpey, **HCS HB 1214, as amended**, was ordered perfected and printed.

HB 1621, relating to discrimination regarding firearms, was taken up by Representative Brown (116).

Representative Talboy offered **House Amendment No. 1**.

Representative Cox raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 014

Day	Ellinger	Funderburk	Guernsey	McManus
McNary	Meadows	Nolte	Redmon	Schneider
Schupp	Shumake	Sommer	Mr Speaker	

On motion of Representative Brown (116), **HB 1621** was ordered perfected and printed by the following vote:

AYES: 118

Allen	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Lochner	Long
Marshall	McCaherty	McDonald	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swearingen
Swinger	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 037

Anders	Atkins	Bahr	Brown 50	Carlson
Carter	Colona	Curtman	Ellington	Holsman
Hummel	Jones 63	Kelly 24	Kirkton	Koenig
Leach	May	McCann Beatty	McCreery	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Spreng	Still	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Ellinger	Funderburk	Hughes	McManus
Meadows	Nolte	Sommer		

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1035 through House Resolution No. 1078

HOUSE CONCURRENT RESOLUTION

Representative Franklin, et al., offered House Concurrent Resolution No. 46.

PERFECTION OF HOUSE BILLS

HB 1504, relating to a public library district sales tax, was taken up by Representative Richardson.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1504, Page 1, Section A, Line 2, by inserting after all of said line the following:

“144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, [2013] **2023**.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

Representative Zerr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 1504, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)] (7) "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)] (8) "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)] (9) "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district, **including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The [tax] taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the [proposed] metropolitan district enacting such an ordinance shall

submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712**, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of , state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall County join such other of (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to County for local park improvements, all as authorized by the (insert name of governing body) of County pursuant to (insert ordinance number), on the . . . day of . . . (insert month), . . . (insert year)?

☐ YES

☐ NO

2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall (insert county name) County join such other of (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to (insert county name) County for local and county park improvements as authorized by the (insert governing body name) of (insert county name) County under (insert ordinance number), on the (insert day) day of (insert month), (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?".

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and [sections] **subsection 1 of section 67.1715 and in section 67.1718**.

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769. **No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1)**

of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754;

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district. **Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712;**

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. 1. The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization."; and

Further amend said bill, Page 3, Section 182.802, Line 56, by inserting after all of said line the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, , 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 2** was adopted.

On motion of Representative Richardson, **HB 1504, as amended**, was ordered perfected and printed.

Representative Diehl resumed the Chair.

HCS HBs 1319, 1045 & 1369, relating to weapons, was taken up by Representative Riddle.

Representative Riddle offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 6, Section 571.092, Line 1, by deleting the words "**over the age of eighteen years**"; and

Further amend said bill, Page 18, Section 571.117, Line 100, by inserting after all of said section and line the following:

"[475.375. 1. Any individual over the age of eighteen years who has been adjudged incapacitated under this chapter or who has been involuntarily committed under chapter 632 may file a petition for the removal of the disqualification to purchase, possess, or transfer a firearm when:

(1) The individual no longer suffers from the condition that resulted in the individual's incapacity or involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. No individual who has been found guilty by reason of mental disease or defect may petition a court for restoration under this section.

2. The petition shall be filed in the circuit court that entered the letters of guardianship or the most recent order for involuntary commitment, whichever is later. Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.

3. The burden is on the petitioner to establish by clear and convincing evidence that:

(1) The petitioner no longer suffers from the condition that resulted in the incapacity or the involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest.

4. Upon the filing of the petition the court shall review the petition and determine if the petition is based upon frivolous grounds and if so may deny the petition without a hearing. In order to determine whether petitioner has met the burden pursuant to this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the local prosecuting attorney, circuit attorney, or attorney general.

5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict from public disclosure, unless it finds that the public interest would be better served by making the record public.

6. The court shall enter an order that:

(1) The petitioner does or does not continue to suffer from the condition that resulted in commitment;

(2) The individual does or does not continue to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. The court shall include in its order the specific findings of fact on which it bases its decision.

7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS).

8. (1) Any person who has been denied a petition for the removal of the disqualification to purchase, possess, or transfer a firearm pursuant to this section shall not be eligible to file another petition for removal of the disqualification to purchase, possess, or transfer a firearm until the expiration of one year from the date of such denial.

(2) If a person has previously filed a petition for the removal of the disqualification to purchase, possess, or transfer a firearm and the court determined that:

(a) The petitioner's petition was frivolous; or

(b) The petitioner's condition had not so changed such that the person continued to suffer from the condition that resulted in the individual's incapacity or involuntary commitment and continued to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; or

(3) Granting relief under this section would be contrary to the public interest, then the court shall deny the subsequent petition unless the petition contains the additional facts upon which the court could find the condition of the petitioner had so changed that a hearing was warranted.]”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 1** was adopted.

Representative Cross offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 6, Section 571.037, Lines 1-3, by removing all of said section and lines from the bill and inserting in lieu thereof the following:

“571.037. Any person who has a valid concealed carry endorsement, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 6, Section 571.037, Lines 1-3, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Holsman	Hummel
Jones 63	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Spreng	Still	Swearingen	Talbo
Taylor	Walton Gray	Webb		

NOES: 111

Asbury	Aull	Bahr	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert

Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 89	Kander
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Barnes	Flanigan	Funderburk	Jones 117
Keeney	Kelly 24	McManus	McNary	Meadows
Nolte	Schoeller	Smith 71	Sommer	

On motion of Representative Cross, **House Amendment No. 2** was adopted.

Representative Ellinger offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 2, Section 571.020, Lines 26-27, by deleting all of said lines and inserting in lieu thereof the phrase “dramatic performance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) assumed the Chair.

Representative Ellinger moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Diehl offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 4, Section 571.030, Line 71, by inserting after the word “**Forces,**” the following:

“**honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers’ Training Corps,**”; and

Further amend said bill, Page 8, Section 571.101, Line 20, by inserting after the word “**Forces**,” the following:

“honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers’ Training Corps,”; and

Further amend said bill, Page 9, Section 571.101, Line 62, by inserting after the word “**Forces**,” the following:

“honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers’ Training Corps,”; and

Further amend said bill, Page 16, Section 571.117, Line 33, by inserting after the word “**Forces**,” the following:

“honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers’ Training Corps,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 4** was adopted.

On motion of Representative Riddle, **HCS HBs 1319, 1045 & 1369, as amended**, was adopted.

On motion of Representative Riddle, **HCS HBs 1319, 1045 & 1369, as amended**, was ordered perfected and printed.

Representative Diehl resumed the Chair.

HCS HB 1449, relating to economic development in Kansas City, was taken up by Representative Berry.

On motion of Representative Berry, **HCS HB 1449** was adopted.

On motion of Representative Berry, **HCS HB 1449** was ordered perfected and printed.

HCS HB 1042, relating to the Coordinating Board for Higher Education, was taken up by Representative Thomson.

Representative Sifton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1042, Page 7, Section 173.040, Line 19, by adding after all of said line the following:

“173.300. The Compact for Education is hereby entered into and enacted into law with all jurisdictions legally joining therein, in the form substantially as follows:

Article I Purpose and Policy

A. It is the purpose of this compact to:

1. Establish and maintain close cooperation and understanding among the executive, legislative, professional, educational and lay leadership on a nationwide basis at the state and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of state and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

B. It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and states.

C. The party states recognize that each of them has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare and economic advancement of each state are supplied in significant part by persons educated in other states.

Article II State Defined

As used in this compact, "state" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

Article III The Commission

A. The [Educational] **Education** Commission of the States, hereinafter called "the commission", is hereby established. The commission shall consist of seven members representing each party state. One of such members shall be the governor; two shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; and four shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. If the laws of a state prevent legislators from serving on the commission, six members shall be appointed and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing such state shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the state government, higher education, the state education system, local education, lay and professional, public and non-public educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be not to exceed ten non-voting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to Article IV and adoption of the annual report pursuant to Article III(J).

C. The commission shall have a seal.

D. The commission shall elect annually, from among its members, a chairman, who shall be a governor, a vice chairman and a treasurer. The commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the commission, and together with the treasurer and such other personnel as the commission may deem appropriate shall be bonded in such amount as the commission shall determine. The executive director shall be secretary.

E. Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission, and shall fix the duties and compensation of such personnel. The commission in its bylaws shall provide for the personnel policies and programs of the commission.

F. The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party jurisdictions or their subdivisions.

G. The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this paragraph or services borrowed pursuant to paragraph (F) of this article shall be reported in the annual report of the commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.

H. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

I. The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states.

J. The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.

Article IV Powers

In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.
2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.
3. Develop proposals for adequate financing of education as a whole and at each of its many levels.
4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private.
5. Formulate suggested policies and plans for the improvement of public education as a whole or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.
6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

Article V Cooperation With Federal Government

A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the commission by not to exceed ten representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the commission.

B. The commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common educational policies of the states, and may advise with any such agencies or officers concerning any matter of mutual interest.

Article VI Committees

A. To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of thirty-two members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the bylaws of the commission. Eight of the voting membership of the steering committee shall consist of governors, eight shall be legislators, and the remainder shall consist of other members of the commission. A federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two years, except that members elected to the first steering committee of the commission shall be elected as follows: sixteen for one year and sixteen for two years. The chairman, vice chairman, and treasurer of the commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the steering committee; provided that service for a partial term of one year or less shall not be counted toward the two term limitation.

B. The commission may establish advisory and technical committees composed of state, local and federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to two or more of the party states.

C. The commission may establish such additional committees as its bylaws may provide.

Article VII Finance

A. The commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.

B. The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.

C. The commission shall not pledge the credit of any party states. The commission may meet any of its obligations in whole or in part with funds available to it pursuant to Article III(G) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it pursuant to Article III(G) thereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.

E. The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any person authorized by the commission.

F. Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

Article VIII Eligible Parties; Entry Into and Withdrawal

A. This compact shall have as eligible parties all states, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term "governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.

B. Any state or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same; provided that in order to enter into initial effect, adoption by at least ten eligible party jurisdictions shall be required.

C. Adoption of the compact may be either by enactment thereof or by adherence thereto by the governor; provided that in the absence of enactment, adherence by the governor shall be sufficient to make his state a party only until December 31, 1967. During any period when a state is participating in this compact through gubernatorial action, the governor shall appoint those persons who, in addition to himself, shall serve as the members of the commission from his state, and shall provide to the commission an equitable share of the financial support of the commission from any source available to him.

D. Except for a withdrawal effective on December 31, 1967 in accordance with paragraph C of this article, any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

Article IX Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the state affected as to all severable matters." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Flanigan	Gosen	Grisamore
Harris	Hodges	Hubbard	Hughes	Hummel
Jones 63	Jones 89	Kander	Kelley 126	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Silvey	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Zerr	Mr Speaker

NOES: 088

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Shumake	Smith 150	Solon	Sommer	Stream
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Day	Denison	Ellinger	Funderburk
Holsman	Jones 117	Keeney	Kelly 24	McManus
McNary	Meadows	Nolte	Schoeller	Smith 71

On motion of Representative Thomson, **HCS HB 1042** was adopted.

On motion of Representative Thomson, **HCS HB 1042** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1042 - Fiscal Review
HCS HB 1212 - Fiscal Review
HCS HB 1220 - Fiscal Review
HB 1431 - Fiscal Review
HB 1466 - Fiscal Review
HB 1504 - Fiscal Review

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1477**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2001**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2002**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2003**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2004**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2005**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2006**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2007**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2008**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2009**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2010**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2011**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2012**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2013**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1267**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1278** and **HB 1152**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1568**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1608**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1623**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1062**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1425**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, the practice of school nursing began in the United States in 1902, when the initial role of the school nurse was to reduce absenteeism by intervening with students and families regarding health care needs related to communicable diseases; and

WHEREAS, today, professional school nursing is a specialized practice that advances the well-being, academic success, and lifelong achievement of students. To that end, school nurses facilitate positive student responses to normal development, promote health and safety, intervene with actual and potential health problems, provide case management services, and actively collaborate with others to build student and family capacity for adaptation, self-management, and self-advocacy, and learning; and

WHEREAS, seven roles have been identified by the National Association of School Nurses:

- (1) Providing health care to students and staff;
- (2) Providing leadership for the provision of health services;
- (3) Providing screening and referral for health care;
- (4) Promoting a healthy school environment;
- (5) Promoting health;
- (6) Serving in a leadership role for health policies and programs;
- (7) Serving as a liaison between school personnel, family, community, and health care providers; and

WHEREAS, under optimal conditions, all public schools should have a school nurse on staff; and

WHEREAS, today, school nurses are facing increased pressures from every direction. Overwhelming amounts of paperwork, strict administrative policies, diminishing school budgets, and serious concerns regarding legal liabilities leave an insufficient amount of time and resources to provide students with the quality of care they deserve; and

WHEREAS, as schools grapple with mandates from the federal government to vaccinate students, many districts have few or no nurses to prevent or respond to outbreaks, leaving students more vulnerable to viruses that spread easily in classrooms and take a heavier toll on children and young adults; and

WHEREAS, a 2008 survey by the National Association of School Nurses found that only 45% of public schools have their own full-time nurse, another 30% have a part-time nurse, and 25% don't have any nurses at all; and

WHEREAS, given the vital role of our professional school nurses, school districts should recognize the dedication and contributions made by professionals:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the important health and educational services that professional school nurses provide and strongly urge every school district in this state to recognize the dedication of professional school nurses and the valuable role they play in Missouri schools; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for each school district in Missouri.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1811**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **HB 1325**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1820**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1841**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1612**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1640**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1782**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1807**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1864**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1868**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1804**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1172**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1904, introduced by Representatives Wells, Ruzicka, Kelly (24), McGhee, Jones (117) and Jones (89), relating to fire sprinkler contractors.

HB 1905, introduced by Representative Ruzicka, relating to solid waste management.

HB 1906, introduced by Representatives Nolte, Lasater, Wells, Nance, Korman and Lichtenegger, relating to the designation of a memorial highway.

HB 1907, introduced by Representatives Jones (117) and Talboy, relating to vulnerable persons.

HB 1908, introduced by Representative Ruzicka, relating to asbestos abatement.

HB 1909, introduced by Representative Hoskins, relating to sales of aviation jet fuel.

HB 1910, introduced by Representatives McNeil, Kirkton, Oxford, Schupp, McGeoghegan, Pace, McCreery and McCann Beatty, relating to the sale of children's products containing bisphenol-A.

HB 1911, introduced by Representatives Shumake, Rowland, Weter, Cross, Cauthorn and Redmon, relating to the Missouri Advisory Boards and Commissions Association.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 24**.

SENATE CONCURRENT RESOLUTION NO. 24

WHEREAS, the trucking industry is a critical component of the United States economy; and

WHEREAS, truck safety is an important public policy concern; and

WHEREAS, on December 16, 2011, the Federal Motor Carrier Safety Administration (FMCSA) published a final rule establishing new Hours of Service (HOS) regulations for commercial motor vehicles; and

WHEREAS, the final rule institutes a new 30-minute rest break requirement for drivers, mandates that the 34-hour restart provision include two off-duty periods between 1:00 a.m. and 5:00 a.m., and revises the definition of on-duty time; and

WHEREAS, FMCSA's new HOS rule reduces the maximum weekly hours truck drivers may work from an average of 82 hours to 70 hours; and

WHEREAS, the final rule also establishes penalties for egregious violations of the HOS regulations and revises log book requirements for drivers involved in oilfield operations; and

WHEREAS, the FMCSA's final rule would decrease the overall number of hours a truck driver could work, and require the addition of more trucks and drivers to deliver the nation's freight; and

WHEREAS, this impact would likely compromise highway safety by generating more exposure to crashes, putting less experienced drivers on the road, exacerbating the shortage of rest area parking spaces and creating long periods of idle time for truck drivers; and

WHEREAS, the increased costs generated by the need for additional trucks and drivers, as well as operational changes, under the proposal would inflate delivery expenses and raise business and consumer costs; and

WHEREAS, the impact of the final rule will result in additional costs for motor carriers, reduced income for truck drivers, reduced productivity, an increase in highway congestion, and an increase in the cost of goods for Missourians; and

WHEREAS, the FMCSA's cost-benefit analysis of the proposal is incomplete, fails to completely account for all trucking-industry and economy-wide costs, and inflates the safety benefits of the proposal; and

WHEREAS, the American Trucking Association recently filed a petition with the U.S. Circuit Court of Appeals for the District of Columbia, asking the court to set aside FMCSA's recently published final rule as arbitrary and capricious and contrary to law; and

WHEREAS, FMCSA advisory panels are looking toward adopting regulations that involve screening and treatment of drivers at risk for obstructive sleep apnea; and

WHEREAS, the FMCSA Advisory Committee and Medical Review Board adopted 11 recommendations, including a requirement that all drivers with a body mass index measurement (BMI) of 35 or higher be tested for sleep apnea; and

WHEREAS, while there is some evidence to indicate that some commercial truck drivers have sleep apnea, there is insufficient evidence that this condition has resulted in the increased likelihood of crashes; and

WHEREAS, the Owner-Operator Independent Drivers Association Foundation calculated that 49 percent of the 3.5 million commercial truck drivers have a BMI of 30 or greater and that if a number of drivers is required to undergo sleep lab exams, such a rule would cost truckers \$5.25 billion; and

WHEREAS, the reach of the proposed sleep apnea testing regulation would even govern school bus drivers; and

WHEREAS, there are valid operational differences between school bus operations and other commercial carrier operations which should be taken into account when considering applying the recommendations to all commercial drivers; and

WHEREAS, FMCSA is considering adopting other rules and regulations, notably regulations concerning electronic stability control for large trucks and speed limits for large trucks, all measures that could have a profound effect on the national economy;

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Federal Motor Carrier Safety Administration to rescind its newly published rule regarding hours of service and refrain from adopting regulations concerning sleep apnea and other measures affecting the trucking industry; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Administrator of the Federal Motor Carrier Safety Administration, Anne S. Ferro, and each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative David Day from the Committee on Professional Registration and Licensing and appoint Representative Diane Franklin.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Doug Funderburk from the Committee on Rules and appoint Representative Caleb Jones to this committee and to serve as Vice Chairman.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Caleb Jones from the Committee on Utilities and appoint Representative Kent Hampton.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Bill White from the Committee on Tax Reform and appoint Representative Dwight Scharnhorst.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

COMMITTEE APPOINTMENT

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Bill White and Representative Craig Redmon to the Committee on Small Business.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 8, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, March 8, 2012, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 1860, HCR 31

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, March 8, 2012, Upon Morning Adjournment House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 8, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any and all bills assigned to the committee

GENERAL LAWS

Thursday, March 8, 2012, 9:00 AM North Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Thursday, March 8, 2012, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 1890

Executive session may be held on any matter referred to the committee.

AMENDED

INSURANCE POLICY

Thursday, March 8, 2012, Upon Morning Adjournment South Gallery.

Public hearing will be held: HB 1875

Executive session may be held on any matter referred to the committee.

We will have a short executive session Thursday, March 8th.

AMENDED

LOCAL GOVERNMENT

Thursday, March 8, 2012, 12:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Upon adjournment, Executive session only

CANCELLED

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, March 8, 2012, 9:30 AM House Hearing Room 1.

Executive Session will be held: HCS HB 1272, HB 1046, HB 1512, HCS HB 1323, HCS HB 1060, HCS HB 1475, HCS HB 1134, HCS HB 1541, HCS HB 1722, HB 1326, HCS HB 1395, HCS HB 1644, HCS#2 HB 1524, HB 1403, HCS HB 1094, HCS HB 1488

Executive Session may be held on any or all bills which have been referred to this committee.

This may include Budget bills 2001 - 2013.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, March 12, 2012, 11:00 AM House Hearing Room 5.

Public hearing will be held: HB 1859, HB 1865

Executive session will be held: HB 1359, HB 1383

Executive session may be held on any matter referred to the committee.

No meal will be provided.

CANCELLED

TOURISM AND NATURAL RESOURCES

Thursday, March 8, 2012, 9:00 AM House Hearing Room 7.

Public hearing will be held: HB 1752, HB 1744, HB 1408

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Thursday, March 8, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 1880, HB 1878

Executive session may be held on any matter referred to the committee.

UTILITIES

Thursday, March 8, 2012, 9:00 AM House Hearing Room 6.

Executive session will be held: HB 1316

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 8, 2012, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 1446, HB 1717

Executive session will be held: HB 1717

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 19, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1837,

Executive session will be held: HB 1540

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-EIGHTH DAY, THURSDAY, MARCH 8, 2012

HOUSE BILLS FOR SECOND READING

HB 1904 through HB 1911

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HB 1191 - Ruzicka
- 2 HCS HB 1300 - Franz
- 3 HCS HB 1324 - Loehner
- 4 HCS HB 1198 - Fisher
- 5 HB 1051 - Allen
- 6 HCS HB 1169 - Franz
- 7 HB 1296 - Davis
- 8 HCS HB 1361 - Pollock

HOUSE BILLS FOR PERFECTION - CONSENT

(3/5/2012)

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HCS#2 HB 1317 - Riddle
- 4 HCS HB 1525 - Fuhr
- 5 HCS HB 1193 - Frederick
- 6 HCS HB 1220, (Fiscal Review 3/7/12) - Hubbard
- 7 HB 1029 - Flanigan
- 8 HB 1431, (Fiscal Review 3/7/12) - Hoskins
- 9 HCS HB 1495 - Nance
- 10 HCS HB 1212, (Fiscal Review 3/7/12) - Smith (150)
- 11 HB 1331 - Jones (117)
- 12 HCS HB 1123 - Frederick

- 13 HB 1513 - Franz
- 14 HB 1466, (Fiscal Review 3/7/12) - Nasheed
- 15 HCS HBs 1659 & 1116 - Torpey
- 16 HCS HB 1214 - Torpey
- 17 HB 1621 - Brown (116)
- 18 HB 1504, (Fiscal Review 3/7/12), E.C. - Richardson
- 19 HCS HBs 1319, 1045 & 1369 - Riddle
- 20 HCS HB 1449 - Berry
- 21 HCS HB 1042, (Fiscal Review 3/7/12) - Thomson

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

HOUSE CONCURRENT RESOLUTIONS

HCR 22 - Walton Gray

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-EIGHTH DAY, THURSDAY, MARCH 8, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Representative Tommie Pierson.

Eternal God, Our Father – As we stand here in thanksgiving, we pray now that You would give us the wisdom to do those things that will strengthen and build up the people of the great State of Missouri and the love for each citizen of our great state that we would make the kind of laws that will make us all stronger and more prosperous.

I thank You that You look down upon all of us with Your hand of mercy and Your love of kindness, and now as we debate the bills that will come before us today, let us do it with a love for self and a love for others, and make the best decision that we know how; because one day, every knee shall bow and every tongue confess the deeds that we have done in this body.

As we leave here today to embark upon our spring break, let us use that time to allow God to renew and refresh us. Let us connect with our families and loved ones, realizing that what we do in this House can have a profound effect on their lives. So Lord, relax us and refresh us that when we come back from spring break, we will have a new and refreshing look as we deliberate our bills, guided by Your Holy Spirit. We will joyously and gladly do what is in the best interests of the people of the great State of Missouri.

Because You are the author and finisher of our faith, let Your words be a lamp unto our feet and a light unto our path.

In the name of Him who said, “Blessed and fortunate and happy and spiritually prosperous are those who hunger and thirst for righteousness, for they shall be completely satisfied!” (*Matthew 5:6*)

And the House says, “Amen.”

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Madison Mitchell, Michael Kempker, Gavin Spicer, Caitlyn Murdick, Drew Anthony and Watson Byrd.

The Journal of the thirty-seventh day was approved as printed by the following vote:

AYES: 148

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford

Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 002

Atkins Oxford

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Day	Diehl	Funderburk	Hughes
Kander	May	Meadows	Nolte	Scharnhorst
Smith 71	Swearingen	Wyatt		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1079 through House Resolution No. 1105

SECOND READING OF HOUSE BILLS

HB 1904 through **HB 1911** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1042**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1212**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1220**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1431**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS#2 HB 1317, relating to abuse of a child, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS#2 HB 1317** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Diehl	Funderburk	Hughes	Kander
Meadows	Nolte	Scharnhorst	Smith 71	Swearingen
Wyatt				

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1525, relating to the Justice Reinvestment Act, was taken up by Representative Fuhr.

On motion of Representative Fuhr, **HCS HB 1525** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Diehl	Elmer	Franklin	Funderburk
Hughes	Jones 117	Kander	Meadows	Nolte
Scharnhorst	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1193, relating to the Prescription Drug Monitoring Program Act, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 1193** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 006

Brattin	Curtman	Ellington	Lasater	Marshall
Schieber				

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Diehl	Funderburk	Grisamore	Hughes
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Kander	McGhee	Meadows	Nolte	Redmon
Scharnhorst	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1220, relating to children of incarcerated mothers, was taken up by Representative Hubbard.

On motion of Representative Hubbard, **HCS HB 1220** was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Cross	Davis	Denison	Dieckhaus
Ellinger	Ellington	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Phillips	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	Wieland	Wright	Zerr
Mr Speaker				

NOES: 023

Bahr	Brattin	Brown 116	Burlison	Crawford
Curtman	Dugger	Elmer	Entlicher	Guernsey
Higdon	Jones 117	Koenig	Lasater	Leach
Marshall	McNary	Pollock	Richardson	Schatz
Schieber	Wells	White		

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Day	Diehl	Fuhr	Funderburk
Hughes	Kander	Meadows	Nolte	Parkinson
Scharnhorst	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1029, relating to state agency program evaluations, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 1029** was read the third time and passed by the following vote:

AYES: 134

Allen	Anders	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 014

Carlson	Carter	Colona	Ellinger	Holsman
Jones 63	May	Morgan	Pace	Pierson
Schupp	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Barnes	Diehl	Dugger	Fuhr
Funderburk	Hughes	Kander	Meadows	Nolte
Parkinson	Scharnhorst	Smith 71	Swearingen	Wyatt

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1495, relating to reporting of insurance fraud, was taken up by Representative Nance.

On motion of Representative Nance, **HCS HB 1495** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Brown 85	Cox	Diehl	Franz
Fuhr	Funderburk	Hughes	Kander	Largent
Meadows	Nolte	Scharnhorst	Smith 71	Spreng
Still	Swearingen	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1212, relating to vehicles hauling livestock or milk, was taken up by Representative Smith (150).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Diehl	Fuhr	Funderburk	Gatschenberger
Hughes	Kander	Meadows	Nolte	Scharnhorst
Smith 71	Swearingen	Wyatt		

On motion of Representative Smith (150), **HCS HB 1212** was read the third time and passed by the following vote:

AYES: 114

Allen	Asbury	Aull	Bahr	Berry
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 035

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Jones 63	Kelly 24	Kirkton
Lasater	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Talboy	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Bernskoetter	Diehl	Fuhr	Funderburk
Gatschenberger	Hughes	Kander	Meadows	Nolte
Scharnhorst	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1331, relating to the transfer of retirement service, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1331** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Davis	Day	Diehl	Fuhr
Funderburk	Kander	Meadows	Nolte	Riddle
Scharnhorst	Smith 71	Swearingen	Webber	Wyatt

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1123, relating to licensure of hospitals, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 1123** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Bernskoetter	Day	Diehl	Fuhr
Funderburk	Kander	Meadows	Nolte	Scharnhorst
Shumake	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1513, relating to animal rights, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1513** was read the third time and passed by the following vote:

AYES: 116

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 033

Anders	Atkins	Carlson	Colona	Ellinger
Ellington	Holsman	Jones 63	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Spreng	Still
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Day	Denison	Diehl	Funderburk
Kander	Kelly 24	Meadows	Nolte	Scharnhorst
Smith 71	Swearingen	Webber	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 1659 & 1116, relating to a land bank agency in Kansas City, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HBs 1659 & 1116** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kirkton	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Zerr				

NOES: 010

Burlison	Cox	Curtman	Franklin	Franz
Koenig	Marshall	Pollock	Schad	Wells

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Bernskoetter	Day	Diehl	Funderburk
Hughes	Kander	Kelly 24	McCreery	Meadows
Nolte	Parkinson	Scharnhorst	Smith 71	Swearingen
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1214, relating to the Missouri Entrepreneur Resource Network, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HB 1214** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Cross	Day	Diehl	Funderburk
Kander	Meadows	Nolte	Scharnhorst	Smith 71
Swearingen	Wright	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

HB 1621, relating to discrimination regarding firearms, was taken up by Representative Brown (116).

On motion of Representative Brown (116), **HB 1621** was read the third time and passed by the following vote:

AYES: 115

Allen	Asbury	Aull	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 036

Anders	Atkins	Bahr	Brown 50	Carlson
Carter	Colona	Curtman	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kelly 24	Kirkton
Koenig	May	McCann Beatty	McCreery	McDonald
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Spreng	Still	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Day	Diehl	Elmer	Funderburk
Kander	Meadows	Nolte	Scharnhorst	Smith 71
Swearingen	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

HB 1504, relating to sales taxes, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 1504** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 017

Brattin	Burlison	Carlson	Curtman	Franklin
Fuhr	Hughes	Kirkton	Koenig	Lasater
Leach	Marshall	McCreery	Oxford	Parkinson
Schieber	Schupp			

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 012

Barnes	Day	Diehl	Funderburk	Kander
Meadows	Nolte	Scharnhorst	Smith 71	Swearingen
Webb	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Pace	Phillips
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 023

Bahr	Brattin	Burlison	Carlson	Curtman
Franklin	Fuhr	Hughes	Kirkton	Koenig
Lasater	Leach	Marshall	McCreery	Newman
Oxford	Parkinson	Pierson	Schieber	Schupp
Spreng	Still	Taylor		

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 014

Barnes	Day	Diehl	Funderburk	Kander
Meadows	Nolte	Pollock	Schad	Scharnhorst
Smith 71	Swearingen	Webb	Wyatt	

Speaker Tilley assumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1219**.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HB 1219** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 1219** was delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SS SCS SB 572** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller resumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HBs 1319, 1045 & 1369, relating to weapons, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS HBs 1319, 1045 & 1369** was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150

Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 031

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Schupp
Sifton	Spreng	Still	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Day	Diehl	Funderburk	Kander
Meadows	Nolte	Scharnhorst	Smith 71	Swearingen
Webb	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1042, relating to the Higher Education Coordinating Board, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS HB 1042** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp

Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Zerr	Mr Speaker			

NOES: 003

Hughes	Kelly 24	Webber
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PRESENT: 001

Aull

ABSENT WITH LEAVE: 017

Barnes	Carter	Day	Diehl	Flanigan
Funderburk	Kander	Meadows	Nolte	Pollock
Scharnhorst	Smith 71	Swearingen	Torpey	Webb
Wright	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HBs 1098 & 1084, relating to charitable veterans' organization, was taken up by Representative Shumake.

On motion of Representative Shumake, **HCS HBs 1098 & 1084** was read the third time and passed by the following vote:

AYES: 140

Allen	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater

Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Wallingford	Walton Gray	Webber	Wells
Weter	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Anders

ABSENT WITH LEAVE: 022

Barnes	Carlson	Carter	Cauthorn	Day
Diehl	Flanigan	Funderburk	Hubbard	Kander
Meadows	Nasheed	Nolte	Redmon	Richardson
Scharnhorst	Smith 71	Swearingen	Torpey	Webb
White	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1108, relating to emergency call location information, was taken up by Representative Lauer.

On motion of Representative Lauer, **HCS HB 1108** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer

Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 003

Ellington	Hughes	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Carter	Cauthorn	Day	Diehl
Flanigan	Funderburk	Hubbard	Kander	Meadows
Nasheed	Nolte	Scharnhorst	Smith 71	Swearingen
Webb	Wyatt	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HB 1236, relating to third-party candidates, was taken up by Representative Entlicher.

On motion of Representative Entlicher, **HB 1236** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Hubbard	Kander	Meadows
Nasheed	Nolte	Schad	Scharnhorst	Smith 71
Swearingen	Webb	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 1258, 1259 & 1260, relating to acknowledgment of paternity, was taken up by Representative Kelly (24).

On motion of Representative Kelly (24), **HCS HBs 1258, 1259 & 1260** was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Aull	Bahr
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Carlson	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Morgan	Nance	Neth	Newman	Nichols
Oxford	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 015

Atkins	Brown 50	Ellinger	Ellington	Hughes
Kirkton	Marshall	May	McCreery	McDonald
Montecillo	Pace	Pierson	Schupp	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Holsman	Hubbard	Kander
Lampe	Leara	Meadows	Nasheed	Nolte
Riddle	Scharnhorst	Shumake	Smith 71	Swearingen
Webb	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1340, relating to interim county officials, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1340** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 002

Colona	Hughes
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PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Hubbard	Kander	Leara
McNeil	Meadows	Nasheed	Nolte	Scharnhorst
Smith 71	Swearingen	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1404, relating to “Pet Breeders Appreciation Month”, was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **HB 1404** was read the third time and passed by the following vote:

AYES: 119

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McDonald	McGeoghegan	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 025

Carlson	Colona	Ellinger	Holsman	Hughes
Hummel	Jones 63	Kirkton	McCann Beatty	McCreery
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Spreng	Talboy	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Hubbard	Kander	Leara
Meadows	Nasheed	Nolte	Riddle	Scharnhorst
Smith 71	Swearingen	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1576, relating to state insurance for foster parents, was taken up by Representative Largent.

On motion of Representative Largent, **HCS HB 1576** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Hummel	Johnson	Jones 63
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Hubbard	Jones 89	Kander

Lampe	Leara	Meadows	Nasheed	Nolte
Riddle	Schad	Scharnhorst	Schatz	Schneider
Smith 71	Swearingen	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 19 - Tourism and Natural Resources
HCR 29 - Veterans
HCR 33 - Workforce Development and Workplace Safety
HCR 34 - Elementary and Secondary Education
HCR 43 - General Laws
HCR 44 - Transportation
HCR 45 - Budget

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 42 - Downsizing State Government
HJR 50 - Veterans
HJR 53 - Elections
HJR 60 - Downsizing State Government
HJR 62 - Elections
HJR 76 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1449 - Fiscal Review
HB 1159 - Financial Institutions
HB 1351 - Tax Reform
HB 1380 - General Laws
HB 1471 - Health Care Policy
HB 1483 - General Laws
HB 1496 - Corrections
HB 1508 - Professional Registration and Licensing
HB 1553 - Judiciary
HB 1554 - International Trade and Job Creation
HB 1555 - Workforce Development and Workplace Safety
HB 1556 - Urban Issues
HB 1558 - Corrections
HB 1581 - Health Insurance

HB 1589 - General Laws
HB 1597 - Elementary and Secondary Education
HB 1606 - Tax Reform
HB 1617 - Tax Reform
HB 1618 - General Laws
HB 1678 - Professional Registration and Licensing
HB 1697 - Tourism and Natural Resources
HB 1703 - Local Government
HB 1719 - Elections
HB 1724 - Transportation
HB 1726 - General Laws
HB 1734 - General Laws
HB 1739 - Special Standing Committee on Renewable Energy
HB 1760 - Local Government
HB 1779 - Economic Development
HB 1790 - Children and Families
HB 1793 - Agriculture Policy
HB 1799 - Crime Prevention and Public Safety
HB 1802 - Local Government
HB 1809 - Special Standing Committee on Renewable Energy
HB 1815 - Rural Community Development
HB 1821 - Transportation
HB 1825 - Local Government
HB 1826 - Corrections
HB 1828 - General Laws
HB 1829 - Elementary and Secondary Education
HB 1830 - Elementary and Secondary Education
HB 1831 - Elementary and Secondary Education
HB 1832 - General Laws
HB 1833 - General Laws
HB 1836 - Transportation Funding and Public Institutions
HB 1842 - Children and Families
HB 1843 - Elementary and Secondary Education
HB 1845 - Ways and Means
HB 1853 - Special Standing Committee on Governmental Affairs
HB 1854 - Special Standing Committee on Disability Services
HB 1870 - Elections
HB 1872 - Tax Reform
HB 1874 - Transportation
HB 1876 - Elementary and Secondary Education
HB 1877 - Children and Families
HB 1879 - Special Standing Committee on Renewable Energy
HB 1882 - Children and Families
HB 1895 - Agriculture Policy
HB 1886 - Special Standing Committee on Disability Services
HB 1888 - Special Standing Committee on Disability Services
HB 1898 - Urban Issues

HB 1900 - Downsizing State Government

HB 1904 - Professional Registration and Licensing

HB 1906 - Transportation

HB 1909 - Transportation

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 450 - Elementary and Secondary Education

SS SCS SB 467 - Downsizing State Government

SS SCS SB 469 - Downsizing State Government

SCS SB 498 - Veterans

SCS SB 562 - Higher Education

SB 564 - Transportation

SB 568 - General Laws

SB 594 - Utilities

SB 611 - Transportation

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1609**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1789**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1170**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 1827**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 1890**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1875**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1171**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1256**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1460**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1560**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1563**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1408**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1744**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1126**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1737**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1878**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1880**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1316**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1717**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice Chairman Jones (117) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1046**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1060**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1094**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1134**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1272**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1323**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1323**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1326**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1395**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1403**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1475**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1488**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1512**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1541**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1644**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1722**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2001**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2002**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2003**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2004**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2005**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2006**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2007**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2008**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2009**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2010**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2011**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2012**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2013**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection.**

INTRODUCTION OF HOUSE BILLS

HB 1912, introduced by Representatives McGeoghegan, Schad, Smith (71), Ellinger, Kratky, Harris, Montecillo, Anders, Morgan, Carlson, Wyatt, Colona, Schneider, Gatschenberger, Parkinson, Conway (14), Pace, Schieffer, Swearingen, Hinson, Brown (85), Lichtenegger and Kelly (24), relating to an emergency contact database.

HB 1913, introduced by Representatives McGeoghegan, Grisamore, Kratky, Conway (14), Atkins, Oxford, Phillips, Houghton, Lauer, Cookson, Schneider, Hummel, Aull, Rizzo, Carter, Kelly (24), Jones (63), Still, McNeil, Pace, McCann Beatty, Hodges, Gatschenberger, Torpey, Sifton, Newman, Fallert, Casey, Conway (27), Walton Gray, Smith (71), Harris, Swearingen, Anders, Hubbard, Ellington, Montecillo, Schupp, May, Colona, Morgan, Ellinger, Quinn, Wyatt, Carlson, Brown (85), Lichtenegger and Schieffer, relating to lift van accessible parking spaces.

HB 1914, introduced by Representatives Kirkton, Jones (63), Oxford, Pace, McCreery, Newman, Ellinger and Schupp, relating to child support.

HB 1915, introduced by Representatives Kirkton, Schupp and Oxford, relating to parental visitation during guardianship.

HB 1916, introduced by Representatives McManus, Holsman and Conway (27), relating to emergency vehicles.

HB 1917, introduced by Representatives Black, Fallert and Hummel, relating to primary elections.

HB 1918, introduced by Representative Richardson, relating to higher education course delivery priorities.

HB 1919, introduced by Representatives Schatz, Pollock, Smith (150), Scharnhorst, Korman, Houghton, Schneider, Leara, Cookson, Richardson, Wright, Brattin, Reiboldt, Hinson, Cierpiot and Schad, relating to underground facility safety and damage prevention.

HB 1920, introduced by Representatives McNary, Lair, Dieckhaus, Burlison, Neth, Jones (63) and Nasheed, relating to unaccredited school districts.

HB 1921, introduced by Representatives Torpey, Largent, Rizzo, Jones (89), Hinson, Tilley, Johnson, Lichtenegger, Hoskins, Taylor, McCaherty and Cross, relating to safety studies by the state fire marshal.

HB 1922, introduced by Representatives Molendorp, Franz, Tilley, Keeney, Hodges, Pollock, Hinson, Phillips, Day, Hough, Largent, Black, Diehl, Brandom, Fraker, Lampe, Barnes, Scharnhorst, Jones (117), Schoeller, Leach, Kelley (126), Guernsey, Solon, Lichtenegger, Zerr, Allen, Flanigan, Talboy, Gosen, McGhee, Asbury, Dieckhaus, Haefner, Parkinson and Bahr, relating to the health benefits plan for members of the Missouri department of transportation and highway patrol employees' retirement system.

HB 1923, introduced by Representatives Holsman, Hummel, Oxford, Talboy, Rizzo, McManus, Morgan, McCann Beatty and Hughes, relating to high school dropout prevention.

HB 1924, introduced by Representatives Holsman, Oxford, Talboy and Morgan, relating to light pollution.

HB 1925, introduced by Representatives Holsman, Hummel, Talboy, Rizzo, Morgan, Ellington and Hughes, relating to tuition rates for students at institutions of higher education.

HB 1926, introduced by Representatives Holsman, Hummel, Talboy, Sifton, Morgan and Hughes, relating to solar water heating systems.

HB 1927, introduced by Representatives Holsman, Hummel, Talboy, Rizzo and McManus, relating to the school calendar.

HB 1928, introduced by Representatives Holsman, Oxford, Hummel, Newman, Talboy, Sifton, Rizzo, McManus, Morgan, Ellington, McCann Beatty and Hughes, relating to medical assistance benefits.

HB 1929, introduced by Representatives Holsman, Oxford, Hummel, Talboy, Rizzo, Morgan, Ellington and Hughes, relating to public financing of certain election campaigns.

HB 1930, introduced by Representatives Holsman, Hummel, Oxford, Newman, Talboy, Sifton, Rizzo, Morgan, Ellington, McCann Beatty and Hughes, relating to the preschool plus program.

HB 1931, introduced by Representatives Holsman, Oxford, Hummel, Newman, Talboy, Sifton, Rizzo, Ellington, Morgan and Hughes, relating to the KidCare Co-op program.

HB 1932, introduced by Representatives Holsman, Oxford, Hummel, Talboy, McManus, Morgan and McCann Beatty, relating to school class size.

HB 1933, introduced by Representatives McCaherty, Jones (89), Stream, Long, Lair, Grisamore, Houghton, Neth, Curtman, Koenig, Higdon, Brown (116), Lauer, Cross, Cookson, Schatz, Shumake, Haefner, Lasater, Frederick, Fitzwater, Asbury and Brown (85), relating to a ban on abortions for sex selection and genetic abnormalities.

HB 1934, introduced by Representatives Torpey, Curtman, Sifton, Berry, Wieland, Diehl, Cross and McCaherty, relating to animal shelter fees.

HB 1935, introduced by Representative Franz, relating to interest rates.

HB 1936, introduced by Representative Molendorp, relating to reinsurance.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 37**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment commissions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 470**, entitled:

An act to repeal sections 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof thirteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 480**, entitled:

An act to repeal sections 144.030 and 390.020, RSMo, and to enact in lieu thereof two new sections relating to regulation of motor carriers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SB 492**, entitled:

An act to repeal sections 104.1084 and 104.1091, RSMo, and to enact in lieu thereof two new sections relating to retirement.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 569**, entitled:

An act to repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to dates for conducting elections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 591**, entitled:

An act to repeal sections 137.115 and 138.060, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle valuations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 607**, entitled:

An act to amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 635**, entitled:

An act to repeal section 30.270, RSMo, and to enact in lieu thereof one new section relating to securities that are pledged for the safekeeping and payment of public funds deposited in banks and financial institutions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 699**, entitled:

An act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof nine new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 711**, entitled:

An act to repeal section 453.005, RSMo, and to enact in lieu thereof one new section relating to the prohibition of racial considerations in adoption proceedings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 722**, entitled:

An act to amend chapter 34, RSMo, by adding thereto one new section relating to restricting public contracts with entities that invest in the energy sector in Iran.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 726**, entitled:

An act to repeal sections 408.052 and 443.812, RSMo, and to enact in lieu thereof two new sections relating to residential mortgage loan brokers, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Schad, the House adjourned until 4:00 p.m., Monday, March 19, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 20, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1725, HB 1733

Executive session may be held on any matter referred to the committee.

We will have a presentation by Neighbors of the Mississippi.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 19, 2012, 1:30 PM House Hearing Room 4.

Public hearing will be held: HB 1468, HB 1699

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, March 20, 2012, 5:00 PM House Hearing Room 3.

Public hearing will be held: HB 1805, HB 1728, HB 1493

Executive session may be held on any matter referred to the committee.

Work session may follow.

FISCAL REVIEW

Monday, March 19, 2012, 2:30 PM House Hearing Room 5.

Executive session will be held: HB 1466, HCS HB 1449

Executive session may be held on any matter referred to the committee.

Any and all bills referred to the committee.

HEALTH CARE POLICY

Wednesday, March 21, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1471

Executive session may be held on any matter referred to the committee.

RETIREMENT

Monday, March 19, 2012, 2:30 PM House Hearing Room 6.

Public hearing will be held: HB 1543, HB 1857

Executive session will be held: HB 1741

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 20, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1815

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, March 19, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HCR 42, HB 1794, HB 1854, HB 1886, HB 1888

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, March 12, 2012, 11:00 AM House Hearing Room 5.

Public hearing will be held: HB 1859, HB 1865

Executive session will be held: HB 1359, HB 1383

Executive session may be held on any matter referred to the committee.

No meal will be provided.

CANCELLED

URBAN ISSUES

Monday, March 19, 2012, Upon Evening Adjournment House Hearing Room 5.

Public hearing will be held: HB 1665, HB 1556, HB 1898

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 19, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1837

Executive session will be held: HB 1540

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-NINTH DAY, MONDAY, MARCH 19, 2012

HOUSE BILLS FOR SECOND READING

HB 1912 through HB 1936

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 2001, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 2 HCS HB 2002, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 3 HCS HB 2003, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 4 HBS HB 2004, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 5 HCS HB 2005, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 6 HCS HB 2006, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 7 HBS HB 2007, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 8 HCS HB 2008, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 9 HCS HB 2009, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 10 HCS HB 2010, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 11 HCS HB 2011, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 12 HCS HB 2012, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 13 HCS HB 2013, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HB 1191 - Ruzicka
- 2 HCS HB 1300 - Franz
- 3 HCS HB 1324 - Loehner
- 4 HCS HB 1198 - Fisher
- 5 HB 1051 - Allen
- 6 HCS HB 1169 - Franz
- 7 HB 1296 - Davis
- 8 HCS HB 1361 - Pollock

HOUSE BILLS FOR PERFECTION - CONSENT

(3/5/2012)

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1466, (Fiscal Review 3/7/12) - Nasheed
- 5 HCS HB 1449, (Fiscal Review 3/8/12) - Berry

SENATE JOINT RESOLUTIONS FOR SECOND READING

SJR 37

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 470
- 2 SCS SB 480
- 3 SS#2 SB 492
- 4 SCS SB 569
- 5 SCS SB 591
- 6 SS SB 607
- 7 SCS SB 635
- 8 SS SCS SB 699
- 9 SCS SB 711
- 10 SCS SB 722
- 11 SCS SB 726

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 22 - Walton Gray
- 2 HCR 37 - Barnes

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-NINTH DAY, MONDAY, MARCH 19, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Major Kendall Mathews.

God, our eternal Father and our hope for tomorrow, You are the creator and preserver of all things in heaven and on earth. We approach Your throne of grace today seeking Your wisdom, guidance and blessing upon this honorable house of lawmakers. Help them to know that faith is the key to the Kingdom, which has the power to direct their decisions and to impact this great State of Missouri. "For as many as are led by the Spirit of God, they are the daughters and sons of God." (*Romans 8:14*)

May Your righteous and holy hand uphold these governmental officials and keep them in perfect peace, while the uncertainty of the world influences our community. Holy God, they need Your spiritual presence, Your endless power, and Your passion to be stamped upon their hearts this very moment, as they make resolutions that will affect the rich and the poor of our state. May these representatives respond to Your holy voice, so they can favorably reply to the voices of the people.

Grant these women and men, and their families, physical health, inner peace and endless mercy as they serve and preserve high governmental standards for our fellow citizens. "To give and it will be given to you; good measure passed over, they will pour into your lap. For whatever measure you deal out to others, it will be dealt to you in return." (*Luke 6:38*) Help them deal fairly with all people so that they can understand how You deal fairly with them, Lord.

And now unto You Who are able to do more than we can think or imagine, I pray that these officials will submit to Your authority and be led by You. May it be so in the righteous Name of our Lord, Savior and Master, Jesus Christ. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Abigail Leara, Kathleen Leara, Alexander Leara and Thomas Leara.

The Journal of the thirty-eighth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1106 through House Resolution No. 1244

SECOND READING OF HOUSE BILLS

HB 1912 through **HB 1936** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 37 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 470, SCS SB 480, SS#2 SB 492, SCS SB 569, SCS SB 591, SS SB 607, SCS SB 635, SS SCS SB 699, SCS SB 711, SCS SB 722 and SCS SB 726 were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1449**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1466**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILL

HCS HB 1300, relating to motor vehicle valuations, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1300, Page 4, Section 137.115, Line 109, by inserting before the word “trade-in” the word “**lowest**”; and

Further amend said bill, page and section, Lines 110-112, by removing all of said lines and inserting in lieu thereof the following:

“value published in the October issue of [the National Automobile Dealers’ Association Official Used Car Guide, or its successor publication, as the recommended] **a single nationally recognized**”; and

Further amend said bill, page and section, Line 114, by inserting after the first appearance of the word “publication” the following:

“as approved by the state tax commission in conjunction with the association representing the majority of assessors in this state.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1300, Line 15.

“In this state — and would be no greater than the value established by a current NADA publication”.

Representative Pollock moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 014

Brattin	Burlison	Cauthorn	Dugger	Hinson
Loehner	Long	McCahty	Nance	Neth
Pollock	Rowland	Smith 150	Wells	

NOES: 136

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Carlson	Carter	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Higdon	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Brown 50	Franklin	Funderburk	Haefner
Hodges	Holsman	Hughes	Kander	Kelly 24
Lampe	Molendorp	Nolte		

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Sifton offered **House Amendment No. 2**.

Representative Scharnhorst raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Franz, **HCS HB 1300, as amended**, was adopted.

On motion of Representative Franz, **HCS HB 1300, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HB 1466, relating to the Math and Science Tutoring Act, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 1466** was read the third time and passed by the following vote:

AYES: 097

Allen	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Carlson
Carter	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Davis	Day	Denison
Dieckhaus	Ellinger	Ellington	Fallert	Fisher
Flanigan	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	Montecillo	Nasheed	Neth
Pace	Parkinson	Phillips	Pierson	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schneider	Schoeller	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Stream	Swearingen	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
Zerr	Mr Speaker			

NOES: 054

Anders	Asbury	Atkins	Bahr	Brattin
Burlison	Casey	Conway 14	Crawford	Cross
Curtman	Dugger	Elmer	Entlicher	Fitzwater
Fraker	Franz	Hampton	Harris	Hummel
Kirkton	Koenig	Lasater	Lauer	Leach
Marshall	McCreery	McGeoghegan	McNeil	Meadows
Morgan	Nance	Newman	Nichols	Oxford
Pollock	Quinn	Ruzicka	Sater	Schatz
Schieber	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swinger	Thomson	Wells
White	Wieland	Wright	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Diehl	Franklin	Funderburk	Haefner
Higdon	Hodges	Hughes	Jones 117	Kander
Molendorp	Nolte			

Speaker Tilley declared the bill passed.

HCS HB 1449, relating to economic development in Kansas City, was taken up by Representative Berry.

On motion of Representative Berry, **HCS HB 1449** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Harris	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Sommer

Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 011

Bahr	Franz	Kirkton	Leach	Marshall
Oxford	Pollock	Rowland	Sater	Smith 150
Wells				

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Day	Diehl	Franklin	Funderburk
Haefner	Higdon	Hodges	Hughes	Kander
Molendorp	Nolte			

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 677 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1834 - Elementary and Secondary Education

HB 1846 - Special Standing Committee on Government Oversight and Accountability

COMMITTEE REPORTS

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1665**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1066**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1540**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **HB 1359**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **HB 1383**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **HB 1865**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1073, HB 1096, HB 1165, HB 1190, HB 1231, HB 1266, HB 1337, HCS HB 1373, HB 1492, HB 1577, HB 1634, HB 1641 and HB 1668.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1937, introduced by Representative Cauthorn, relating to bicycle operation.

HB 1938, introduced by Representatives Wallingford, Sater, Johnson, Frederick, Franklin, Elmer, Klippenstein, Schatz, Brown (116), Keeney, Scharnhorst, Black, Pace, Swinger and Quinn, relating to the designation of medical radiation safety awareness day.

HB 1939, introduced by Representatives Jones (63), Talboy, Hummel, Ellinger, May, Swinger, Shively, Taylor, McCreery, Schupp, McManus, Oxford, McNeil, Pierson, Newman, Kirkton, Nichols, Morgan, Casey, McGeoghegan, Quinn, Harris, Kratky, Sifton, Carlson, McDonald, Schieffer, Walton Gray, Still, Webb, Rizzo, Pace, Webber, Conway (27), Colona, Nasheed, Black, Lampe, Swearingen, Fallert, Meadows, Anders, Kelly (24), Brown (50), Spreng, Atkins, Holsman and Carter, relating to ethics.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

March 16, 2012

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96TH GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 1219** entitled:

“AN ACT”

To repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

I disapprove of **House Bill No. 1219**. My reasons for disapproval are as follows:

Much like Senate Committee Substitute for Senate Bill No. 188, which I vetoed in 2011, **House Bill No. 1219** weakens Missouri’s commitment to address discriminatory conduct and limits existing protections for whistleblowers in the workplace.

The following are several of the unacceptable provisions contained in **House Bill No. 1219** that collectively evince a desire to undo decades of progress in Missouri.

Eliminates individual responsibility for discrimination. **House Bill No. 1219** ignores a basic tenet of the Missouri Human Rights Act in that it releases from liability the very person who committed the discriminatory act. The Missouri Human Rights Act was established to protect Missourians from such treatment by holding those who discriminate and harass accountable for their actions.

Exempts private clubs and seasonal employers from suit. **House Bill No. 1219** would exempt private clubs and many seasonal employers from the type of conduct prohibited by the Missouri Human Rights Act. This Act must continue to protect against discrimination regardless of where it occurs.

Significantly reduces the availability of damages in discrimination cases. **House Bill No. 1219** would establish a cap on damages in discrimination cases. And while federal law also establishes limits, the federal caps apply against the aggregate of only compensatory and punitive damages. **House Bill No. 1219**, meanwhile, would apply that same monetary limit to the sum of awarded “back pay, interest on back pay, other equitable relief [front pay], court costs and reasonable attorneys fees,” as well as compensatory and punitive damages. Such limits would significantly reduce the potential award in any given case and would undermine the effectiveness of the Missouri Human Rights Act.

Prevents a court from awarding any damages in housing discrimination cases. State law makes it unlawful to discriminate in housing decisions because of race, color, religion, national origin, ancestry, sex, disability or familial status and provides for the recovery of damages for such conduct. **House Bill No. 1219**, by way of Section 213.111.8, RSMo, would inexplicably eliminate a court’s ability to award damages in housing discrimination cases brought under Sections 213.040, 213.045 or 213.050, RSMo.

Prohibits punitive damages against government. **House Bill No. 1219** would bar punitive damages in discrimination suits against the State or political subdivisions except in certain housing cases, effectively holding governmental entities less accountable to its citizens than their private sector counterparts. Discrimination and unfair treatment does not become more or less abhorrent based on who is doing the discriminating, and the Missouri Human Rights Act should therefore make no such distinction.

Reduces protection for Whistleblowers. House Bill No. 1219 would narrow the protections that currently exist against retaliation in the workplace. Whistleblowers provide an important service to all Missourians, and laws should not be written to discourage individuals from exposing misconduct.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 1219** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

The following member's presence was noted: Franklin.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 20, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-eighth Day, Thursday, March 8, 2012, Page 593, Line 5, by inserting immediately after said line the following:

“The following House Bills were read the first time and copies ordered printed:”

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 20, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1725, HB 1733

Executive session may be held on any matter referred to the committee.

We will have a presentation by Neighbors of the Mississippi.

CHILDREN AND FAMILIES

Wednesday, March 21, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1607, HB 1790, HB 1842

Executive session may be held on any matter referred to the committee.

AMENDED

DOWNSIZING STATE GOVERNMENT

Wednesday, March 21, 2012, 6:30 PM 223 East Capitol Avenue.

ECONOMIC DEVELOPMENT

Tuesday, March 20, 2012, 5:00 PM House Hearing Room 3.

Public hearing will be held: HB 1805, HB 1728, HB 1493

Executive session may be held on any matter referred to the committee.

Work session may follow.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 21, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1206, HB 1834

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, March 20, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: SB 568, HB 1828, HB 1038, HB 1463, HB 1335

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH CARE POLICY

Wednesday, March 21, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1471

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, March 20, 2012, 8:30 AM House Hearing Room 6.

Public hearing will be held: SCS SB 562

Executive session will be held: HB 1502

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 21, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1639

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 21, 2012, 12:00 PM or Upon Morning Recess House Hearing Room 1.

Public hearing will be held: HB 1328, HB 1330, HB 1698

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 21, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1547, HB 1703, HB 1780, HB 1590, SB 736, HB 1825

Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 21, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1371, HB 1904, HB 1355

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Tuesday, March 20, 2012, Upon Morning Recess House Hearing Room 5.

Executive session will be held: HB 1048, HB 1062, HB 1063, HB 1170, HCS HB 1171, HB 1221, HB 1261, HB 1264, HB 1267, HB 1315, HCS HB 1325, HB 1345, HCS HB 1363, HCS HB 1364, HCS HB 1407, HB 1408, HB 1424, HB 1436, HB 1460, HCS#2 HB 1462, HCS HB 1477, HB 1484, HCS HBs 1518 & 1522, HCS HB 1527, HB 1545, HB 1560, HCS HB 1563, HCS HB 1568, HB 1615, HCS HB 1623, HB 1630, HB 1636, HCS HB 1647, HB 1651, HB 1662, HB 1652, HB 1680, HB 1687, HB 1692, HCS HB 1717, HB 1737, HCS HB 1738, HB 1744, HB 1782, HB 1804, HB 1807, HB 1811, HB 1820, HCS HB 1827, HCS HB 1841, HB 1862, HB 1864, HB 1868, HCS HB 1875, HB 1878, HB 1880

Executive session may be held on any or all bills which have been referred to this committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 20, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1815

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, March 21, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HJR 71, HB 1835

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 20, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: SB 564, SB 611, HJR 73, HCR 44, HB 1724, HB 1821, HB 1906, HB 1909

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, March 20, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: SB 594

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTIETH DAY, TUESDAY, MARCH 20, 2012

HOUSE BILLS FOR SECOND READING

HB 1937 through HB 1939

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 2001, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 2 HCS HB 2002, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 3 HCS HB 2003, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 4 HCS HB 2004, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 5 HCS HB 2005, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 6 HCS HB 2006, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 7 HCS HB 2007, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 8 HCS HB 2008, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 9 HCS HB 2009, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 10 HCS HB 2010, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 11 HCS HB 2011, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 12 HCS HB 2012, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
- 13 HCS HB 2013, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HB 1191 - Ruzicka
- 2 HCS HB 1324 - Loehner
- 3 HCS HB 1198 - Fisher
- 4 HB 1051 - Allen
- 5 HCS HB 1169 - Franz
- 6 HB 1296 - Davis
- 7 HCS HB 1361 - Pollock
- 8 HB 1046 - Rowland
- 9 HCS HB 1094 - White
- 10 HCS HB 1272 - Kelley (126)
- 11 HB 1326 - Cox
- 12 HCS HB 1395 - Korman
- 13 HCS HB 1400 - Richardson
- 14 HCS HB 1475 - Cross
- 15 HB 1512 - Curtman
- 16 HCS HB 1541 - Jones (89)
- 17 HCS HB 1644 - Barnes
- 18 HCS HB 1722 - Thomson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

- 1 HB 1341 - Dugger
- 2 HCS#2 HB 1524 - Phillips

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 22 - Walton Gray
- 2 HCR 37 - Barnes
- 3 HCR 11 - Kelley (126)
- 4 HCS HCR 30 - Hampton

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTIETH DAY, TUESDAY, MARCH 20, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will lift up mine eyes unto the hills, from whence cometh my help. (Psalm 121:1)

Almighty God, Who is ever present in our world and with us always all our lives, grant unto us Your spirit which will enable us to live this day with dignity, do our work with patience, and serve our state with complete devotion. Lift up before our eyes the standards of truth and love. May they lighten our path, and may we be given courage to walk in that way for the good of our spirits, for the well-being of our state, and for the welfare of all people.

We commend to Your wise and loving care those who walk in sorrow, those who have given their lives for our country. May we match their devotion with our dedication, their willingness to sacrifice with our readiness to serve the great State of Missouri.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Representative Fraker introduced the Marshfield Junior Jay Singers, who then performed "The National Anthem."

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lucas Fuhr and Claire Fuhr.

The Journal of the thirty-ninth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1245 through House Resolution No. 1325

SECOND READING OF HOUSE BILLS

HB 1937 through **HB 1939** were read the second time.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2001 was taken up by Representative Silvey.

HCS HB 2001 was laid over.

HCS HB 2002 was taken up by Representative Silvey.

HCS HB 2002 was laid over.

HCS HB 2003 was taken up by Representative Silvey.

HCS HB 2003 was laid over.

HCS HB 2004 was taken up by Representative Silvey.

HCS HB 2004 was laid over.

HCS HB 2005 was taken up by Representative Silvey.

HCS HB 2005 was laid over.

HCS HB 2006 was taken up by Representative Silvey.

HCS HB 2006 was laid over.

HCS HB 2007 was taken up by Representative Silvey.

HCS HB 2007 was laid over.

HCS HB 2008 was taken up by Representative Silvey.

HCS HB 2008 was laid over.

HCS HB 2009 was taken up by Representative Silvey.

HCS HB 2009 was laid over.

HCS HB 2010 was taken up by Representative Silvey.

HCS HB 2010 was laid over.

HCS HB 2011 was taken up by Representative Silvey.

HCS HB 2011 was laid over.

HCS HB 2012 was taken up by Representative Silvey.

HCS HB 2012 was laid over.

HCS HB 2013 was taken up by Representative Silvey.

HCS HB 2013 was laid over.

HOUSE CONCURRENT RESOLUTIONS

HCR 22, relating to women veterans, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCR 22** was adopted.

HCR 37, relating to North American oil, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCR 37** was adopted.

On motion of Representative Jones (89), the House recessed until 1:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2001 was again taken up by Representative Silvey.

HCS HB 2001 was laid over.

HCS HB 2002 was again taken up by Representative Silvey.

Representative Silvey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2002, Page 3, Section 2.017, Line 3, by inserting immediately after the word “urban” the following:

“and metropolitan”; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Silvey, **House Amendment No. 1** was adopted.

Representative McNeil offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2002, Page 3, Section 2.017, Line 4, by inserting immediately after said section the following new section:

“Section 2.018. To the Department of Elementary and Secondary Education
For the purpose of providing grants to provisionally accredited and unaccredited school
districts for additional instructional time
From Extended Instructional Time Fund. \$1”; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative McNeil moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

HCS HB 2002, as amended, was laid over.

HCS HB 2003 was again taken up by Representative Silvey.

HCS HB 2003 was laid over.

HCS HB 2004 was again taken up by Representative Silvey.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2004, Page 4, Section 4.025, Line 4, by deleting “316,945” and inserting “66,945”; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

HCS HB 2004, as amended, was laid over.

HCS HB 2005 was again taken up by Representative Silvey.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2005, Page 2, Section 5.020, Line 4, by deleting “19,957,415” and inserting “19,942,915”; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

HCS HB 2005, as amended, was laid over.

HCS HB 2006 was again taken up by Representative Silvey.

Representative McCreery offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2006, Page 2, Section 6.015, Line 9, by deleting "4,925,000" and inserting "4,775,000"; and

Further amend said bill, said page, Section 6.020, Line 5, by deleting "4,925,000" and inserting "4,775,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative McCreery moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 047

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Curtman
Ellinger	Ellington	Gosen	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kirkton	Koenig
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Talboy	Taylor
Walton Gray	Webb			

NOES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer

Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Dieckhaus	Fallert	Funderburk	Haefner	Hodges
Meadows	Swearingen			

HCS HB 2006 was laid over.

HCS HB 2007 was again taken up by Representative Silvey.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2007, Page 20, Section 7.820, Line 7, by deleting “801,977” and inserting “638,965”; and

Further amend said bill, said page, said section, Line 20, by deleting “19.50” and inserting “15.50”; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted by the following vote:

AYES: 084

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McNary	Molendorp
Nance	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Shumake
Smith 150	Solon	Sommer	Stream	Thomson
Wells	Weter	White	Mr Speaker	

NOES: 062

Anders	Atkins	Aull	Berry	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Ellington	Harris	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander

Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Silvey	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Webber	Wieland
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 017

Dieckhaus	Fallert	Franz	Funderburk	Haefner
Hinson	Hodges	Korman	Lasater	McCaherty
McGhee	Meadows	Nasheed	Nolte	Phillips
Schneider	Wyatt			

HCS HB 2007, as amended, was laid over.

HCS HB 2012 was again taken up by Representative Silvey.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2012, Page 10, Section 12.400, Line 7, by deleting "3,558,059" and inserting "3,721,071"; and

Further amend said bill by amending subsection, section and bill totals accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp

Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 002

Ellington Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Dieckhaus	Fallert	Franz	Fuhr
Funderburk	Haefner	Hodges	Korman	McCaherty
McGhee	Meadows	Nasheed	Nolte	Scharnhorst
Schneider	Wyatt			

HCS HB 2012, as amended, was laid over.

HCS HB 2007, as amended, was again taken up by Representative Silvey.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2007, Page 2, Section 7.005, Line 11, by deleting "619,519" and inserting "614,919"; and

Further amend said bill, Page 2, Section 7.015, Line 8, by deleting "130,141" and inserting "128,179"; and

Further amend said bill, Page 2, Section 7.015, Line 15, by deleting "348,270" and inserting "346,308"; and

Further amend said bill, Page 3, Section 7.015, Line 25, by deleting "172,405" and inserting "168,481"; and

Further amend said bill, Page 3, Section 7.015, Line 35, by deleting "892,185" and inserting "890,233"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Barnes offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2007, Page 3, Section 7.015, Line 42, by deleting “789,458” and inserting “739,458”; and

Further amend said bill, said page, said section, Line 47, by deleting “111.34” and inserting “110.34”; and

Further amend said bill, said page, said section, said line, by inserting immediately thereafter the following:

“Section 7.016. To the Department of Economic Development
For an economic development incentives programs due diligence officer
Personal Service
From Federal Funds (Not to exceed 1.00 F.T.E.). \$50,000”; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative May offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 2007, Page 2, Section 7.015, Line 15, by deleting “348,270” and inserting “298,270”; and

Further amend said bill, Page 3, said section, Line 25, by deleting “172,405” and inserting “122,405”; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative May, **House Amendment No. 4** was adopted.

HCS HB 2007, as amended, was laid over.

HCS HB 2011 was again taken up by Representative Silvey.

Representative May offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2011, Page 8, Section 11.110, Line 7, by deleting “8,358,297” and inserting “8,458,297”; and

Further amend said bill, said page, said section, Line 8, by deleting “118,445,760” and inserting “119,345,760”; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative May, **House Amendment No. 1** was adopted.

HCS HB 2011, as amended, was laid over.

HCS HB 2007, as amended, was again taken up by Representative Silvey.

HCS HB 2007, as amended, was laid over.

HCS HB 2008 was again taken up by Representative Silvey.

HCS HB 2008 was laid over.

HCS HB 2009 was again taken up by Representative Silvey.

Representative Still offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2009, Page 10, Section 9.190, Line 6, by deleting "147,191,974" and inserting "146,691,974"; and

Further amend said bill by adjusting bill totals accordingly.

Representative Still moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Harris	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Shively	Sifton	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

NOES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Carter	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford

Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 002

Ellington Smith 71

ABSENT WITH LEAVE: 012

Day	Dieckhaus	Fallert	Franz	Funderburk
Haefner	Hodges	Meadows	Nolte	Scharnhorst
Schneider	Swinger			

Representative Schad offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2009, Page 5, Section 9.065, Line 9, by deleting "3,000,000"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Schad, **House Amendment No. 2** was adopted.

HCS HB 2009, as amended, was laid over.

HCS HB 2010 was again taken up by Representative Silvey.

Representative Silvey offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2010, Page 21, Section 10.410, Line 29, by deleting "10,621,176" and inserting "3,846,275"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Silvey, **House Amendment No. 1** was adopted.

Representative Silvey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2010, Page 21, Section 10.410, Line 29, by inserting immediately thereafter the following:

"For the purpose of funding Regional Autism Projects provided that services and/or provider rates shall be no less than the FY 2012 level and further provided that the Department shall request supplemental appropriation authority if needed to continue serving individuals at the same FY 2012 level

From General Revenue Fund. 6,774,901"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Silvey, **House Amendment No. 2** was adopted.

Representative Silvey offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2010, Page 7, Section 10.110, Line 4, by inserting immediately after the word “services” the following:

“and/or provider rates”.

On motion of Representative Silvey, **House Amendment No. 3** was adopted.

Representative Lampe offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 2010, Page 7, Section 10.110, Line 9, by deleting “33,835,165” and inserting “32,726,588”; and

Further amend said bill, said page, said section, Line 13, by deleting “49,028,825” and inserting “48,197,122”; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Lampe moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Atkins	Aull	Black	Brown 50	Carlson
Carter	Colona	Ellinger	Ellington	Harris
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber	Weter	

NOES: 102

Allen	Anders	Asbury	Bahr	Barnes
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Higdon	Hinson	Hoskins	Hough	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein

Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Learn
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bernskoetter	Dieckhaus	Fallert	Franz	Funderburk
Haefner	Hodges	Houghton	Kander	Meadows
Nolte	Torpey			

Speaker Tilley resumed the Chair.

HCS HB 2010, as amended, was laid over.

Speaker Pro Tem Schoeller resumed the Chair.

HCS HB 2012, as amended, was again taken up by Representative Silvey.

Representative Kelly (24) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2012, Page 11, Section 12.510, Line 6, by deleting "1,434,421" and inserting "1,010,970"; and

Further amend said bill, said section, Line 8, by deleting "37.03" and inserting "28.83"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

Representative Kelly (24) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2012, Page 11, Section 12.505, Line 6, by deleting "10,663,950" and inserting "11,050,341"; and

Further amend said bill, said section, Line 10, by deleting "417.84" and inserting "425.84"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 3** was adopted.

HCS HB 2012, as amended, was laid over.

HCS HB 2013 was again taken up by Representative Silvey.

HCS HB 2013 was laid over.

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Diehl.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2011, as amended, was again taken up by Representative Silvey.

Representative Atkins offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2011, Page 7, Section 11.095, Line 10, by inserting the following new section immediately thereafter:

“Section 11.097. To the Department of Social Services
For the Family Support Division
For planning, designing and purchasing a Medicaid eligibility and enrollment system
From Federal and Other Funds. \$50,000,000”; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Atkins moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

NOES: 098

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison

Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	McNary	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 013

Bernskoetter	Dieckhaus	Fallert	Franz	Haefner
Hughes	Loehner	Meadows	Molendorp	Nolte
Schieffer	Webb	Mr Speaker		

HCS HB 2011, as amended, was laid over.

HCS HB 2001 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2001** was adopted.

On motion of Representative Silvey, **HCS HB 2001** was ordered perfected and printed.

HCS HB 2002, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2002, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2002, as amended**, was ordered perfected and printed.

HCS HB 2003 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2003** was adopted.

On motion of Representative Silvey, **HCS HB 2003** was ordered perfected and printed.

HCS HB 2004, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2004, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2004, as amended**, was ordered perfected and printed.

HCS HB 2005, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2005, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2005, as amended**, was ordered perfected and printed.

HCS HB 2006 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2006** was adopted.

On motion of Representative Silvey, **HCS HB 2006** was ordered perfected and printed.

HCS HB 2007, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2007, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2007, as amended**, was ordered perfected and printed.

HCS HB 2008 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2008** was adopted.

On motion of Representative Silvey, **HCS HB 2008** was ordered perfected and printed.

HCS HB 2009, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2009, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2009, as amended**, was ordered perfected and printed.

HCS HB 2010, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2010, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2010, as amended**, was ordered perfected and printed.

HCS HB 2011, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2011, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2011, as amended**, was ordered perfected and printed.

HCS HB 2012, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2012, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2012, as amended**, was ordered perfected and printed.

HCS HB 2013 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2013** was adopted.

On motion of Representative Silvey, **HCS HB 2013** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1909**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1110**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Judicial Reform, Chairman Smith (150) reporting:

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **HB 1754**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1048**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1062**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1063**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1150**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1170**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1171**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1221**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1261**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1267**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1325**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1345**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1363**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1408**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1424**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1460**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1477**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1484**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1518 & 1522**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1527**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1545**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1560**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1563**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1615**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1623**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1636**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1647**, begs leave to report it has examined the same and recommends that it **Do Pass Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1651**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1652**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1662**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1665**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1680**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1687**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1691**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1692**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1717**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1737**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1738**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1744**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1782**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1804**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1807**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1811**, begs leave to report it has examined the same and recommends that it **Do Pass By Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1820**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1827**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1841**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1864**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1868**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1875**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1878**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1880**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 84, introduced by Representative Neth, relating to bonded indebtedness of school districts.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1940, introduced by Representative Barnes, relating to the privatization of the Missouri employers mutual insurance company.

HB 1941, introduced by Representative Barnes, relating to Missouri employers mutual insurance company.

HB 1942, introduced by Representatives Molendorp, Nance and Lichtenegger, relating to captive insurance companies.

HB 1943, introduced by Representatives Harris, Meadows, Schatz, Reiboldt, Shively, Pierson, McDonald, Kelley (126), McNary, Bernskoetter, Cauthorn, Hubbard and Ellinger, relating to museums.

HB 1944, introduced by Representatives Wallingford, Lichtenegger, Brandom and Wright, relating to the designation of tax refunds to certain funds.

HB 1945, introduced by Representatives Burlison and Long, relating to fire protection district audits.

HB 1946, introduced by Representative Neth, relating to school district bonded indebtedness.

HB 1947, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1948, introduced by Representative Korman, relating to modular unit installers.

HB 1949, introduced by Representatives Shively, Quinn, Harris, Black, Loehner, Ruzicka, Schieffer and Cauthorn, relating to The State Soil and Water Districts Commission.

HB 1950, introduced by Representative Scharnhorst, relating to the Missouri poison center funding pool.

HB 1951, introduced by Representatives Schoeller, Frederick and Brandom, relating to the state board of chiropractic examiners.

HB 1952, introduced by Representatives Schatz, Lichtenegger, Richardson, Houghton, Phillips, Lant, Reiboldt, Hinson, Denison, Brown (85), Fuhr, Klippenstein, Redmon, Fisher, Stream, Kelley (126), Korman, Cauthorn, Fitzwater, Conway (14), Lair, Solon, Higdon, Pierson, Black, Franklin, Smith (71), Ellinger, Atkins, Montecillo, Webb, Brown (50), Casey, Walton Gray, Hummel, Rizzo, Pace, McManus, Morgan, May, Carlson, Gosen, Hampton and McGhee, relating to the meth lab elimination act.

HB 1953, introduced by Representatives Hinson and Loehner, relating to vocational programming in private schools.

HB 1954, introduced by Representative Higdon, relating to alcohol regulation fees.

COMMUNICATION

March 20, 2012

D. Adam Crumbliss
Chief Clerk of the House of Representatives
State Capitol Building
Jefferson City, MO 65101

RE: Possible Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am filing a written report of a personal interest in legislation on which the House of Representatives may vote. My wife, Amanda Marshall, is the owner of a state-licensed day care that provides child

care services for children of parents who may receive state subsidies for child care services distributed to the day care under an agreement with the Department of Social Services.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Sincerely,

/s/ Nick Marshall
Representative
District 30

The following members' presence was noted: Dieckhaus and Meadows.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 21, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, March 22, 2012, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Please disregard if you are not involved in the Committee on Agri-Business.

CHILDREN AND FAMILIES

Wednesday, March 21, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1607, HB 1790, HB 1842
Executive session may be held on any matter referred to the committee.
AMENDED

CORRECTIONS

Wednesday, March 21, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.
Public hearing will be held: HB 1826, HB 1496
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 21, 2012, 12:00 PM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Wednesday, March 21, 2012, 6:30 PM 223 East Capitol Avenue.

DOWNSIZING STATE GOVERNMENT

Thursday, March 22, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1900, SS SCS SB 467, SS SCS SB 469

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 21, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1206, HB 1834

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 21, 2012, 12:30 PM South Gallery.

Public hearing will be held: SB 450

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Thursday, March 22, 2012, 9:00 AM House Hearing Room 3.

Public hearing will be held: HB 1828, HB 1818

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 21, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1471

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 21, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1639

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 21, 2012, 12:00 PM or Upon Morning Recess House Hearing Room 1.

Public hearing will be held: HB 1328, HB 1330, HB 1698

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 21, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1547, HB 1703, HB 1780, HB 1590, SB 736, HB 1825

Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 21, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1371, HB 1904, HB 1355

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Wednesday, March 21, 2012, Upon Afternoon Adjournment or 5 PM (whichever comes first) House Hearing Room 5.

Public hearing will be held: HB 1848

Executive session may be held on any matter referred to the committee.

Possible Executive session MAY be held on previous bills referred to this committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, March 21, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 3.

Public hearing will be held: HB 1602, HB 1739, HB 1879

Executive session may be held on any matter referred to the committee.

AMENDED

TAX REFORM

Wednesday, March 21, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HJR 71, HB 1835

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 22, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SCS SB 719, HB 1548, HB 1795

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 22, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1427, HB 1845

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-FIRST DAY, WEDNESDAY, MARCH 21, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 84

HOUSE BILLS FOR SECOND READING

HB 1940 through HB 1954

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HB 1191 - Ruzicka
- 2 HCS HB 1324 - Loehner
- 3 HCS HB 1198 - Fisher
- 4 HB 1051 - Allen
- 5 HCS HB 1169 - Franz
- 6 HB 1296 - Davis
- 7 HCS HB 1361 - Pollock
- 8 HB 1046 - Rowland
- 9 HCS HB 1094 - Wieland
- 10 HCS HB 1272 - Kelley (126)
- 11 HB 1326 - Cox
- 12 HCS HB 1395 - Korman
- 13 HCS HB 1400 - Richardson
- 14 HCS HB 1475 - Cross
- 15 HB 1512 - Curtman
- 16 HCS HB 1541 - Jones (89)
- 17 HCS HB 1644 - Barnes
- 18 HCS HB 1722 - Thomson
- 19 HCS HB 1647 - Riddle

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

- 1 HB 1341 - Dugger
- 2 HCS#2 HB 1524 - Phillips

(3/21/2012)

- 1 HB 1048, E.C. - Schneider
- 2 HB 1062 - Dieckhaus
- 3 HB 1063 - Conway (27)
- 4 HB 1170 - Franz
- 5 HCS HB 1171 - Franz
- 6 HB 1221 - Black
- 7 HB 1261 - Swearingen
- 8 HB 1264 - Fallert
- 9 HB 1267 - Denison
- 10 HB 1315 - McCaherty
- 11 HCS HB 1325 - Cox
- 12 HB 1345 - Cauthorn
- 13 HCS HB 1363 - Schieffer
- 14 HCS HB 1407 - Walton Gray
- 15 HB 1408 - Walton Gray

- 16 HB 1424 - Marshall
- 17 HB 1460 - Jones (117)
- 18 HCS#2 HB 1462 - Cauthorn
- 19 HCS HB 1477 - Brown (116)
- 20 HB 1484 - McCaherty
- 21 HCS HBs 1518 & 1522 - Grisamore
- 22 HCS HB 1527 - Elmer
- 23 HB 1545 - Kirkton
- 24 HB 1560 - Diehl
- 25 HCS HB 1563 - Sater
- 26 HB 1615 - Oxford
- 27 HCS HB 1623 - Ellinger
- 28 HB 1630 - Franz
- 29 HB 1636 - Fuhr
- 30 HB 1651 - McGeoghegan
- 31 HB 1652 - McGeoghegan
- 32 HB 1662 - Weter
- 33 HB 1665 - Jones (63)
- 34 HB 1680 - Davis
- 35 HB 1687 - Schieffer
- 36 HB 1692 - Entlicher
- 37 HCS HB 1717 - Kelley (126)
- 38 HB 1737 - Gatschenberger
- 39 HCS HB 1738, E.C. - Grisamore
- 40 HB 1744 - Kelley (126)
- 41 HB 1782 - Fitzwater
- 42 HB 1804 - Molendorp
- 43 HB 1807 - Marshall
- 44 HB 1811 - Carter
- 45 HB 1820 - Asbury
- 46 HCS HB 1827 - Richardson
- 47 HCS HB 1841 - Jones (117)
- 48 HB 1864 - Johnson
- 49 HB 1868 - Cauthorn
- 50 HCS HB 1875 - Nance
- 51 HB 1878 - Riddle
- 52 HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HCS HB 1300 - Franz

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Kelley (126)
- 2 HCS HCR 30 - Hampton

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-FIRST DAY, WEDNESDAY, MARCH 21, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Trust in the Lord with all thine heart; and lean not unto thine own understanding. (Proverbs 3:5)

Dear Lord, our spirit's unseen and powerful friend, make Your ways known to us as we bow in Your presence this morning after a long day yesterday. May this moment of prayer be an open door to the reality of Your spirit and as we look up to You may we find our strength renewed, our souls restored and be given courage and wisdom for the living of these days.

Grant us with one mind to do justly, to love mercy, and to walk humbly with You, and in so doing to promote the welfare of all our people. Give to us and to all our citizens a love for truth, a passion for doing our duty, and a dedication to You which will hold us steady amid difficult times.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Katherine Jones, Abigail Jones, Daniel Diehl, Tucker Maddox, Samantha Maddox, Hannah Coleman, Kirsten Hilburn, James Prater, Kelsey Stevens, Andrew Cummings, Griffin Buschjost and Kaitlyn Sandbothe.

The Journal of the fortieth day was approved as printed.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 84 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1940 through **HB 1954** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1326, relating to the Business Premises Safety Act, was taken up by Representative Cox.

Representative McCaherty assumed the Chair.

Representative McManus requested a division of the question on **HB 1326**.

The division of the question was denied by the Chair.

Representative Webber requested a division of the question on **HB 1326**.

Representative Jones (89) moved the previous question on **Part I of HB 1326**.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	McGhee	Meadows	Oxford	Scharnhorst
Torpey				

On motion of Representative Cox, **Part I of HB 1326** was ordered perfected and printed.

Representative Jones (89) moved the previous question on **Part II of HB 1326**.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 005

Hughes	Meadows	Nolte	Scharnhorst	Torpey
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On motion of Representative Cox, **Part II of HB 1326** was ordered perfected and printed by the following vote:

AYES: 121

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hughes
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGeoghegan	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Thomson	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 034

Brown 50	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 008

Curtman	Denison	Hubbard	Meadows	Nolte
Richardson	Scharnhorst	Torpey		

Representative Jones (89) moved the previous question on **Part III of HB 1326**.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Denison	Meadows	Nolte	Pierson
Pollock	Richardson	Scharnhorst	Torpey	Zerr

On motion of Representative Cox, **Part III of HB 1326** was ordered perfected and printed by the following vote:

AYES: 093

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fisher

Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Quinn	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Solon	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 061

Anders	Atkins	Aull	Barnes	Black
Brown 50	Carlson	Carter	Casey	Cierpiot
Colona	Conway 27	Ellinger	Ellington	Elmer
Fallert	Gosen	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Jones 117
Kander	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 009

Lichtenegger	Meadows	Nolte	Pollock	Richardson
Scharnhorst	Smith 150	Torpey	Mr Speaker	

HCS HB 1644, relating to excursion gambling boat licenses, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCS HB 1644** was adopted.

On motion of Representative Barnes, **HCS HB 1644** was ordered perfected and printed.

HB 1191, relating to the State Parks Earnings Fund, was taken up by Representative Ruzicka.

Representative Lampe moved that **HB 1191** be recommitted to the committee of origin.

Which motion was withdrawn.

Representative Wyatt offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Bill No. 1191, Page 1, in the Title, Lines 2-3, by deleting “the state park earnings fund” and inserting in lieu thereof “state parks”; and

Further amend said bill, Page 2, Section 253.090, Line 28, by inserting the following after all of said line:

“640.950. 1. This section shall be known and may be cited as "The Renewable Energy Pilot Program for State Parks".

2. The department of natural resources shall, in consultation with the public service commission, develop and implement a pilot program in which renewable energy technology is used to operate a state park.

3. The commission shall retain authority to regulate the rates and cost recovery for electric utilities under its jurisdiction that enter into a contractual agreement to provide renewable energy resources for the department. The department may also contract with those electric utilities that are unregulated by the commission.

4. The pilot program shall begin with the department's selection of a suitable state park by August 28, 2013. The department shall set a goal of achieving the one hundred percent use of renewable energy resources, as defined in section 393.1025, within the boundaries of the park.

5. The pilot program shall involve the department's use of as many energy-efficient products as possible within the boundaries of the park.

6. The department shall set a goal of completing such renewable energy pilot program by August 28, 2018.

7. Beginning August 28, 2012, the department shall annually report to the general assembly if the goal of this section has been met. If the goal provided in this section is not achieved, then such report shall explain why such goal is not feasible at the current time and develop alternative suggestions. If the goal in subsection 6 of this section is not met, then such report shall continue indefinitely on an annual basis.

8. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hinson	Hoskins	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Lasater	Lauer	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Neth	Nolte	Parkinson	Phillips

Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 50	Day	Dieckhaus	Diehl
Ellinger	Fraker	Hampton	Higdon	Hough
Jones 117	Korman	Largent	Leach	Leara
McNary	Meadows	Nance	Scharnhorst	Taylor
Torpey				

On motion of Representative Wyatt, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Higdon	Hinson	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Lasater
Lauer	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150

Solon	Sommer	Stream	Thomson	Wallingford
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 054

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Brown 50	Day	Dieckhaus	Diehl
Franklin	Hampton	Hoskins	Hough	Jones 117
Largent	Leach	Leara	Meadows	Scharnhorst
Torpey	Wells			

On motion of Representative Ruzicka, **HB 1191, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Diehl.

HOUSE RESOLUTION

Representative Bahr, et al., offered House Resolution No. 1365.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1326 through House Resolution No. 1364

HOUSE CONCURRENT RESOLUTIONS

Representative Allen, et al., offered House Concurrent Resolution No. 47.
Representatives Houghton and Schatz offered House Concurrent Resolution No. 48.
Representative Fallert, et al., offered House Concurrent Resolution No. 49.
Representative Bahr, et al., offered House Concurrent Resolution No. 50.

PERFECTION OF HOUSE BILLS

HCS HB 1324, relating to the right to raise livestock, was taken up by Representative Loehner.

Representative McCreery offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1324, Page 1, Section 262.005, Line 5, by inserting immediately following the word “**later**,” the following:

“**Nothing in this section shall have the force and effect of law.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCreery moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Hummel offered **House Amendment No. 2**.

Representative Cauthorn raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Loehner, **HCS HB 1324** was adopted.

On motion of Representative Loehner, **HCS HB 1324** was ordered perfected and printed.

HB 1051, relating to a comparative audit of state agencies, was taken up by Representative Allen.

Representative Talboy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1051, Page 1, Section 29.375, Line 3, by inserting after the phrase “**year 2012**” the phrase

“, **and perform a comparative audit of each chamber of the general assembly**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 1** was adopted by the following vote:

AYES: 118

Anders	Asbury	Atkins	Aull	Black
Brandom	Brattin	Brown 50	Brown 85	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Curtman	Davis
Day	Denison	Dugger	Ellinger	Ellington
Fallert	Franklin	Franz	Frederick	Fuhr
Gosen	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lampe	Largent	Lauer
Leach	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Redmon	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt		

NOES: 034

Allen	Bahr	Berry	Brown 116	Burlison
Conway 14	Crawford	Cross	Diehl	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Gatschenberger	Guernsey	Haefner	Hampton	Hough
Keeney	Korman	Lair	Lant	Leara
Lichtenegger	Phillips	Reiboldt	Richardson	Sater
Schatz	Weter	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Bernskoetter	Dieckhaus	Funderburk	Grisamore
Lasater	McNary	Meadows	Scharnhorst	Schneider
Torpey				

Representative Flanigan offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1051, Pages 1 and 2, Section B, Lines 1 through 4, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Bernskoetter	Dieckhaus	Funderburk	Hughes	McNary
Meadows	Nolte	Schneider	Torpey	

On motion of Representative Allen, **HB 1051, as amended**, was ordered perfected and printed.

HCS HB 1400, relating to financial transactions, was taken up by Representative Richardson.

Representative Oxford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1400, Page 4, Section 408.052, Line 49, by inserting after all of said line the following:

"408.800. Notwithstanding any law to the contrary, no lender shall impose a fine, fee, or penalty for the prepayment on any loan issued in this state. As used in this section, "lender" includes any bank, savings and loan association, credit union, corporation, partnership, or any other person or entity who makes loans."; and

Further amend said bill, Page 5, Section 443.812, Line 46, by inserting after all of said line the following:

"[408.241. Notwithstanding the provisions of sections 408.233 and 408.234, a prepayment fee may be charged on second mortgage loans, as defined in section 408.231, under the same provisions as is allowed under section 408.036.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Ellinger offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1400, Page 1, Line 6, by inserting before the word **"loan"** the word **"consumer"**; and

Further amend said page, Line 9, by inserting before the word **"loans"** the word **"consumer"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Ellinger moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp

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Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	White		

NOES: 089

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McGhee
McNary	Nance	Neth	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Thomson	Wallingford	Wells	Weter
Wieland	Wright	Zerr	Mr Speaker	

PRESENT: 001

McCaherty

ABSENT WITH LEAVE: 015

Dieckhaus	Flanigan	Funderburk	Guernsey	Largent
Lasater	Meadows	Molendorp	Nolte	Pollock
Sater	Schneider	Silvey	Torpey	Wyatt

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz

Schieber	Schoeller	Shumake	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 024

Allen	Day	Denison	Dieckhaus	Ellington
Flanigan	Funderburk	Guernsey	Hough	Korman
Largent	Lasater	McGhee	Meadows	Molendorp
Nolte	Pollock	Sater	Schneider	Silvey
Torpey	Webb	Weter	Wyatt	

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellington
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

NOES: 099

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Lauer	Leach

Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nichols	Parkinson	Phillips	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Day	Dieckhaus	Fallert	Flanigan
Funderburk	Guernsey	Hough	Hughes	Korman
Largent	Lasater	Meadows	Molendorp	Nolte
Pollock	Silvey	Torpey	Webber	

On motion of Representative Richardson, **HCS HB 1400** was adopted.

On motion of Representative Richardson, **HCS HB 1400** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1051 - Fiscal Review
HB 1394 - General Laws
HB 1413 - Special Standing Committee on Disability Services
HB 1421 - Crime Prevention and Public Safety
HB 1428 - General Laws
HB 1429 - Economic Development
HB 1479 - Judiciary
HB 1486 - Ways and Means
HB 1614 - Corrections
HB 1643 - Workforce Development and Workplace Safety
HB 1682 - Special Standing Committee on Government Oversight and Accountability
HB 1716 - Judiciary
HB 1730 - Health Insurance
HB 1765 - Tourism and Natural Resources
HB 1784 - Professional Registration and Licensing
HB 1822 - Crime Prevention and Public Safety
HB 1896 - Crime Prevention and Public Safety
HB 1897 - Judiciary
HB 1911 - Transportation Funding and Public Institutions
HB 1919 - Utilities
HB 1922 - Health Insurance
HB 1935 - General Laws

HB 1936 - Insurance Policy
HB 1942 - Insurance Policy
HB 1953 - Agriculture Policy

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1515**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1700**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1593**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

WHEREAS, the Tenth Amendment defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

WHEREAS, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

WHEREAS, today, in 2012, the states are demonstrably treated as agents of the federal government; and

WHEREAS, many federal mandates are directly in violation of the Tenth Amendment to the Constitution of the United States; and

WHEREAS, the United States Supreme Court has ruled in *New York v. United States*, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

WHEREAS, a number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the Constitution of the United States:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby claims sovereignty for the State of Missouri under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; and

BE IT FURTHER RESOLVED that this resolution shall serve as a notice and demand to the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of these constitutionally-delegated powers; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Speaker of the House and President of the Senate of each state's legislature of the United States of America, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 36**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 36

WHEREAS, the states of Missouri and Israel share a deep and abiding friendship; and

WHEREAS, Missouri's own President Harry S Truman announced on May 14, 1948, that the United States would become the first country to recognize the new Nation of Israel; and

WHEREAS, from its very founding, democracy has been the cornerstone of the State of Israel; and

WHEREAS, since its establishment, Israel has fulfilled the dreams of its founders who evidence a vigorous, open, and stable democracy; and

WHEREAS, Israel is deeply committed to maintaining its vigorous democratic society; and

WHEREAS, the State of Israel and the United States share democratic values and ideals, and fundamental strategic interests in promoting regional freedom and stability; and

WHEREAS, the ongoing commitment of Israel to the democratic ideals of freedom and pluralism has been unswerving, and is a commitment that Israel shares with the United States:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby:

- (1) Express their respect and admiration for the people of Israel;
- (2) Commend the people of Israel for their dedication to democratic ideals - a dedication made manifest through 64 years since the establishment of the state;
- (3) Affirm the shared values and commitment to freedom and democracy which bind the United States-Israel relationship;
- (4) Reaffirm the importance of projects of mutual economic benefit, which include improved trade, technology development, science, agriculture; and tourism; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Prime Minister of Israel, Benjamin Netanyahu, and the Missouri Department of Economic Development.

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 64**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1109**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1534**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1490**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tax Reform, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HJR 71**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 1356**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1273**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 85, introduced by Representatives Solon, Day, Brattin, Davis and Fisher, relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1955, introduced by Representative Richardson, relating to Missouri employers mutual insurance company.

HB 1956, introduced by Representatives White, Koenig, Berry, Brattin, Curtman, Brown (85), Elmer and Oxford, relating to tax increment financing.

HB 1957, introduced by Representatives McGeoghegan, Schad, Gatschenberger, Pace, Kratky, Carlson, Oxford, Morgan, Smith (71), Schupp, Montecillo, Atkins, Wyatt, Jones (63), Hummel, Swearingen, Walton Gray, Wallingford, Fallert, Nasheed, McCann Beatty, Leara, Lauer, Cross, Kelly (24), Entlicher, Talboy, Casey, Harris, Scharnhorst, Zerr, Aull and Spreng, relating to an emergency information database.

HB 1958, introduced by Representatives Schupp, Kirkton, McNeil, Taylor, Pierson and Carlson, relating to temporary license plates.

HB 1959, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1960, introduced by Representative Korman, relating to alternative fuel decals.

HB 1961, introduced by Representatives May, Carter, Oxford, McGeoghegan, Walton Gray, Pierson, Ellington, Ellinger, Smith (71), Spreng, Kirkton, Nichols, Taylor, Newman, McCann Beatty, McNeil, Black, Brown (50), Lampe, Still and Kratky, relating to use of zip codes for underwriting by insurance companies.

HB 1962, introduced by Representatives Parkinson, Jones (89), Tilley, Nance, Sommer, Conway (14), McCaherty, Long, Kelley (126), Scharnhorst, Zerr, Bahr, Curtman and Gatschenberger, relating to the presidential primary date.

HB 1963, introduced by Representatives Parkinson, Jones (89), Tilley, Schoeller, Nance, Sommer, Conway (14), McCaherty, Long, Kelley (126), Scharnhorst, Zerr, Bahr, Curtman and Gatschenberger, relating to primary elections.

HB 1964, introduced by Representative Schneider, relating to license taxes on certain businesses.

COMMITTEE CHANGE

March 21, 2012

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Jason Smith from the Joint Committee on Legislative Research and appoint Representative Sue Allen.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

WITHDRAWAL OF HOUSE BILL

March 21, 2012

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Room 306C, Capitol Building
Jefferson City, MO 65101

Dear Adam:

I would like to withdraw **House Bill No. 1912**, relating to the establishment of an emergency contact database within the Department of Revenue from further consideration.

Thank you for your consideration in this matter.

Sincerely,

/s/ Eileen Grant McGeoghegan
State Representative
District 77

The following member's presence was noted: Meadows.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 22, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, March 22, 2012, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Please disregard if you are not involved in the Committee on Agri-Business.

AGRICULTURE POLICY

Tuesday, March 27, 2012, Upon Morning Adjournment House Hearing Room 6.
Public hearing will be held: HB 1793, HB 1895
Executive session may be held on any matter referred to the committee.
Possible work session on HB 1660.

DOWNSIZING STATE GOVERNMENT

Thursday, March 22, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1900, SS SCS SB 467, SS SCS SB 469

FISCAL REVIEW

Thursday, March 29, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

GENERAL LAWS

Thursday, March 22, 2012, 9:00 AM House Hearing Room 3.
Public hearing will be held: HB 1828, HB 1818
Executive session may be held on any matter referred to the committee.

RULES

Thursday, March 22, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: HR 677
Executive session will be held: HR 677

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, March 22, 2012, Upon Morning Adjournment House Hearing Room 7.
Executive session will be held: HCS HB 1111, HCS HB 1126, HB 1172, HCS HB 1275,
HCS HBs 1278 & 1152, HB 1339, HCS#2 HB 1344, HCS HB 1402, HB 1455, HCS HB 1498,
HCS HB 1608, HCS HB 1640, HB 1909, HCR 25
Executive session may be held on any or all bills which have been referred to this committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 22, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SS SCS SB 719, HB 1548, HB 1795
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 22, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1427, HB 1845

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SECOND DAY, THURSDAY, MARCH 22, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 85 - Solon

HOUSE BILLS FOR SECOND READING

HB 1955 through HB 1964

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1169 - Franz
- 3 HB 1296 - Davis
- 4 HCS HB 1361 - Pollock
- 5 HB 1046 - Rowland
- 6 HCS HB 1094 - Wieland
- 7 HCS HB 1272 - Kelley (126)
- 8 HCS HB 1395 - Korman
- 9 HCS HB 1475 - Cross
- 10 HB 1512 - Curtman
- 11 HCS HB 1541 - Jones (89)
- 12 HCS HB 1722 - Thomson
- 13 HCS HB 1647 - Riddle

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

- 1 HB 1341 - Dugger
- 2 HCS#2 HB 1524 - Phillips

(3/21/2012)

- 1 HB 1048, E.C. - Schneider
- 2 HB 1062 - Dieckhaus
- 3 HB 1063 - Conway (27)
- 4 HB 1170 - Franz
- 5 HCS HB 1171 - Franz
- 6 HB 1221 - Black
- 7 HB 1261 - Swearingen
- 8 HB 1264 - Fallert
- 9 HB 1267 - Denison
- 10 HB 1315 - McCaherty
- 11 HCS HB 1325 - Cox
- 12 HB 1345 - Cauthorn
- 13 HCS HB 1363 - Schieffer
- 14 HCS HB 1407 - Walton Gray
- 15 HB 1408 - Walton Gray
- 16 HB 1424 - Marshall
- 17 HB 1460 - Jones (117)
- 18 HCS#2 HB 1462 - Cauthorn
- 19 HCS HB 1477 - Brown (116)
- 20 HB 1484 - McCaherty
- 21 HCS HBs 1518 & 1522 - Grisamore
- 22 HCS HB 1527 - Elmer
- 23 HB 1545 - Kirkton
- 24 HB 1560 - Diehl
- 25 HCS HB 1563 - Sater
- 26 HB 1615 - Oxford
- 27 HCS HB 1623 - Ellinger
- 28 HB 1630 - Franz
- 29 HB 1636 - Fuhr
- 30 HB 1651 - McGeoghegan
- 31 HB 1652 - McGeoghegan
- 32 HB 1662 - Weter
- 33 HB 1665 - Jones (63)
- 34 HB 1680 - Davis
- 35 HB 1687 - Schieffer
- 36 HB 1692 - Entlicher
- 37 HCS HB 1717 - Kelley (126)
- 38 HB 1737 - Gatschenberger

- 39 HCS HB 1738, E.C. - Grisamore
- 40 HB 1744 - Kelley (126)
- 41 HB 1782 - Fitzwater
- 42 HB 1804 - Molendorp
- 43 HB 1807 - Marshall
- 44 HB 1811 - Carter
- 45 HB 1820 - Asbury
- 46 HCS HB 1827 - Richardson
- 47 HCS HB 1841 - Jones (117)
- 48 HB 1864 - Johnson
- 49 HB 1868 - Cauthorn
- 50 HCS HB 1875 - Nance
- 51 HB 1878 - Riddle
- 52 HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 2001 - Silvey
- 2 HCS HB 2002 - Silvey
- 3 HCS HB 2003 - Silvey
- 4 HCS HB 2004 - Silvey
- 5 HCS HB 2005 - Silvey
- 6 HCS HB 2006 - Silvey
- 7 HCS HB 2007 - Silvey
- 8 HCS HB 2008 - Silvey
- 9 HCS HB 2009 - Silvey
- 10 HCS HB 2010 - Silvey
- 11 HCS HB 2011 - Silvey
- 12 HCS HB 2012 - Silvey
- 13 HCS HB 2013 - Silvey

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HCS HB 1300 - Franz
- 5 HB 1326 - Cox
- 6 HCS HB 1644 - Barnes
- 7 HB 1191 - Ruzicka
- 8 HCS HB 1324 - Loehner
- 9 HB 1051, (Fiscal Review 3/21/12) - Allen
- 10 HCS HB 1400 - Richardson

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Kelley (126)
- 2 HCS HCR 30 - Hampton

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-SECOND DAY, THURSDAY, MARCH 22, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the poor in spirit: for theirs is the kingdom of heaven. (Matthew 5:3)

O God, our Creator and Sustainer, the strength of those who labor and the supporter of all who put their trust in You, in reverence we bow before You this moment. You are ever with us and we pray that we may always be aware of Your presence and keep our lives open to the guidance to Your Word.

By Your spirit may we become conscious of our own sins and shortcomings, our own limitations and liabilities. May we not mistake prejudice for principle nor conceit for confidence, but in all humility depend upon You for guidance and grace for daily living. Cleanse our hearts of selfishness, pettiness, and narrowness of mind. Create in us a new spirit - a new faith in You, a new joy in living, a new courage for life, and a new enthusiasm for good will among all our people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alexis Marie Leara, Logan Jones, Maureen Lawless, Autumn Lawless, Shelby Nolte, Samantha Nolte, Sydney Nolte, Simone Robinson, Sam Hernandez, Hannah Robinson, Issabella Avery, Jessica Hill, Kayla Thomas, Madison Thomas, Rachel Hermasillo, Alex Turner, Amy Goldsbury, Atalie Dycus, Avyon Barnes, Brooke Thornburg, Jessica Nation, Ashlee Lawless, Emma Will, Francesca Fazzino, Gabrielle Rivera, Genevieve Holmes and Gillian Buchholz.

The Journal of the forty-first day was approved as printed.

HOUSE RESOLUTION

Representative Burlison, et al., offered House Resolution No. 1391.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1366 through House Resolution No. 1390

House Resolution No. 1392 through House Resolution No. 1419

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 85 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1955 through **HB 1964** were read the second time.

THIRD READING OF HOUSE BILLS

HB 1326, relating to the Business Premises Safety Act, was taken up by Representative Cox.

On motion of Representative Cox, **HB 1326** was read the third time and passed by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 041

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Pace	Pierson
Rizzo	Schupp	Sifton	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Brown 116	Day	Elmer	Fisher
Holsman	Leara	McGhee	Meadows	Oxford
Smith 71	Solon			

Speaker Tilley declared the bill passed.

HCS HB 1324, relating to the right to raise livestock, was taken up by Representative Loehner.

On motion of Representative Loehner, **HCS HB 1324** was read the third time and passed by the following vote:

AYES: 121

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGeoghegan	McGhee
McNary	McNeil	Molendorp	Nance	Nasheed
Neth	Nichols	Nolte	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Sommer	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 030

Anders	Atkins	Carlson	Carter	Colona
Hummel	Jones 63	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McManus
Montecillo	Morgan	Newman	Oxford	Pace
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Talboy	Walton Gray	Webb	Webber

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 011

Brown 50	Brown 116	Day	Ellinger	Fisher
Holsman	Hughes	Leara	Meadows	Solon
Zerr				

Speaker Tilley declared the bill passed.

HB 1191, relating to state parks, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 1191** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 002

Hughes	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Brown 116	Davis	Day	Fisher
Holsman	Kander	Leara	Meadows	Solon

Speaker Tilley declared the bill passed.

HCS HB 1300, relating to motor vehicle valuations, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1300** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 008

Ellington	Franklin	Morgan	Pace	Pollock
Smith 71	Swearingen	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Brown 116	Fisher	Holsman	Hughes
Kander	Leara	Meadows	Solon	Sommer
Zerr				

Speaker Tilley declared the bill passed.

HCS HB 1400, relating to financial transactions, was taken up by Representative Richardson.

On motion of Representative Richardson, **HCS HB 1400** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Brown 116	Holsman	Kander	Leara
Meadows	Nance	Solon		

Speaker Tilley declared the bill passed.

HCS HB 1644, relating to excursion gambling boat licenses, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCS HB 1644** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Carlson	Carter	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 006

Asbury	Bahr	Cauthorn	Lasater	Marshall
Molendorp				

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50

Brown 116

Holsman

Kander

Leara

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2001 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2001** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Holsman	Hughes	Kander	Leara
Smith 71	Sommer			

Speaker Tilley declared the bill passed.

HCS HB 2002 was taken up by Representative Silvey.

Representative Leara assumed the Chair.

On motion of Representative Silvey, **HCS HB 2002** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Lair	Lant	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Nichols	Nolte	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 022

Carlson	Colona	Ellinger	Ellington	Hughes
Hummel	Kratky	Lampe	Marshall	McCreery
McDonald	McNeil	Morgan	Newman	Oxford
Pace	Schupp	Smith 71	Spreng	Still
Swearingen	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Cox	Day	Funderburk	Holsman
Largent	Lasater	Neth		

Representative Leara declared the bill passed.

HCS HB 2003 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2003** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 018

Atkins	Carlson	Ellinger	Hodges	Hughes
Hummel	Kratky	Marshall	McCreery	McDonald
McGeoghegan	Morgan	Newman	Oxford	Schupp
Smith 71	Still	Swearingen		

PRESENT: 000

ABSENT WITH LEAVE: 010

Brattin	Brown 50	Cox	Day	Funderburk
Hinson	Holsman	McGhee	Neth	Sater

Representative Leara declared the bill passed.

HCS HB 2004 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2004** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 009

Carlson	Hughes	Kratky	Marshall	McNeil
Oxford	Schupp	Smith 71	Swearingen	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brattin	Brown 50	Cox	Day	Funderburk
Hinson	Holsman	Largent	Neth	Sater

Representative Leara declared the bill passed.

HCS HB 2005 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2005** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Houghton
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nichols
Pace	Parkinson	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Kratky	Marshall	Newman	Oxford	Schieber
Swearingen				

PRESENT: 002

Quinn	Shively
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ABSENT WITH LEAVE: 014

Brattin	Brown 50	Cox	Day	Funderburk
Hinson	Holsman	Hough	Hubbard	Largent
Nasheed	Neth	Nolte	Sater	

Representative Leara declared the bill passed.

HCS HB 2006 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2006** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Kratky	Marshall	McDonald	Oxford	Smith 71
Swearingen				

PRESENT: 001

Black

ABSENT WITH LEAVE: 010

Brown 50	Cierpiot	Cox	Day	Funderburk
Hinson	Holsman	Hughes	Neth	Sater

Representative Leara declared the bill passed.

HCS HB 2007 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2007** was read the third time and passed by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wyatt
Zerr	Mr Speaker			

NOES: 056

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Higdon	Hodges
Hubbard	Hummel	Jones 63	Kander	Kratky
Lampe	Lasater	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Cox	Day	Funderburk	Hinson
Holsman	Hughes	Neth	Sater	Wieland

Representative Leara declared the bill passed.

HCS HB 2008 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2008** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 003

Marshall	Oxford	Swearingen
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PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Brown 50	Cox	Day	Dieckhaus
Funderburk	Hinson	Holsman	Hughes	Neth
Sater				

Representative Leara declared the bill passed.

HCS HB 2009 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2009** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 004

Kratky	Marshall	Oxford	Swearingen
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PRESENT: 001

Quinn

ABSENT WITH LEAVE: 009

Brown 50	Cox	Day	Funderburk	Hinson
Holsman	Hughes	Neth	Sater	

Representative Leara declared the bill passed.

HCS HB 2010 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2010** was read the third time and passed by the following vote:

AYES: 107

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Long	May	McCaherty
McDonald	McGhee	McNary	Molendorp	Montecillo
Nance	Nolte	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 044

Anders	Atkins	Aull	Black	Carlson
Carter	Colona	Conway 27	Ellinger	Ellington
Harris	Hodges	Hubbard	Hummel	Jones 63
Kirkton	Kratky	Lampe	Marshall	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Meadows
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Cox	Day	Funderburk	Hinson
Holsman	Hughes	Lasater	Loehner	Neth
Parkinson	Sater			

Representative Leara declared the bill passed.

HCS HB 2011 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2011** was read the third time and passed by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Higdon	Hoskins
Hough	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McGhee	McNary
Molendorp	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
Weter	White	Wyatt	Zerr	Mr Speaker

NOES: 061

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Hampton	Harris	Hodges	Houghton
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Walton Gray	Webb	Webber	Wieland
Wright				

PRESENT: 001

Nance

ABSENT WITH LEAVE: 011

Brown 50	Carter	Cox	Day	Funderburk
Hinson	Holsman	Lasater	Neth	Nolte
Sater				

Representative Leara declared the bill passed.

HCS HB 2012 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2012** was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Montecillo	Nance
Nasheed	Nichols	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 024

Colona	Ellinger	Ellington	Hubbard	Hughes
Hummel	Jones 63	Kratky	Lampe	Marshall
McCann Beatty	McCreery	McNeil	Morgan	Newman
Oxford	Pace	Sifton	Smith 71	Spreng
Swearingen	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Carter	Cox	Day	Dugger
Franz	Funderburk	Hinson	Holsman	Hoskins
Lasater	Molendorp	Neth	Nolte	Sater
Schupp	Weter			

Representative Leara declared the bill passed.

HCS HB 2013 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2013** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Brown 116	Carter	Colona	Cox
Day	Dugger	Franz	Funderburk	Hinson
Holsman	Hoskins	Hughes	Lasater	Molendorp
Neth	Nolte	Parkinson	Sater	Schupp
Weter				

Representative Leara declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 6 - Transportation
HCR 18 - Health Care Policy
HCR 28 - Health Insurance
HCR 40 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 46 - Elementary and Secondary Education
HJR 55 - Elections
HJR 58 - Budget
HJR 67 - Ways and Means
HJR 72 - General Laws
HJR 81 - Veterans
HJR 83 - Crime Prevention and Public Safety
HJR 85 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1064 - General Laws
HB 1392 - Crime Prevention and Public Safety
HB 1469 - General Laws
HB 1501 - Workforce Development and Workplace Safety
HB 1585 - General Laws
HB 1759 - Transportation
HB 1858 - Judiciary
HB 1902 - Special Standing Committee on Disability Services
HB 1905 - Tourism and Natural Resources
HB 1918 - Higher Education
HB 1933 - Health Care Policy
HB 1940 - Special Standing Committee on Government Oversight and Accountability

HB 1941 - Special Standing Committee on Government Oversight and Accountability

HB 1952 - Crime Prevention and Public Safety

HB 1955 - Special Standing Committee on Government Oversight and Accountability

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 455 - Higher Education

SS SCS SB 470 - Transportation

SCS SB 563 - Higher Education

SCS SB 655 - Budget

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1860**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Corrections, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 1456**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 1826**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1718**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 450**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 568**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1211**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1458**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1661**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1542** and **HB 1101**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Judicial Reform, Chairman Smith (150) reporting:

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **HJR 44**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 677**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 677

WHEREAS, Coaches vs. Cancer is a nationwide collaboration between the American Cancer Society and the National Association of Basketball Coaches that empowers basketball coaches, their teams, and local communities to make a difference in the fight against cancer; and

WHEREAS, St. Clair High School in St. Clair, Missouri, is hosting a basketball game for the benefit of Coaches vs. Cancer, on February 17, 2012, at St. Clair High School; and

WHEREAS, this Coaches vs. Cancer game and ceremony are being held in memoriam of Dr. Lee McKinney, a 1952 St. Clair High School graduate, a longtime Fontbonne University athletics director, and former Griffins head men's basketball coach, who died last April after a third bout with cancer; and

WHEREAS, Coach McKinney served as a role model, mentor, and father figure to many student-athletes and countless more coaches and athletics administrators, and his contributions to the Fontbonne athletics department, basketball, and cancer research will never be forgotten:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby recognize the annual Coaches vs. Cancer Basketball game held at St. Clair High School to be known as the "Lee McKinney Coaches vs. Cancer Game"; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for St. Clair High School.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1111**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1126**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1172**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1275**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1278 & 1152**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1402**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1498**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1515**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1593**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1608**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1640**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1700**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1909**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 450**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 86, introduced by Representatives Gatschenberger, Tilley, Funderburk, Jones (89), Franz, Zerr, Riddle, Black, Cookson, Elmer, Entlicher, Denison, Lasater, Shumake, Richardson, Cauthorn, Day, Bahr, Wieland, Schatz, Conway (14), McCaherty, Jones (117), Wallingford, Cox, Casey, Pierson, Ellinger, Conway (27), Taylor, Webber, Cierpiot, Hinson, Stream, Fuhr, Fraker, Koenig, Wyatt, Franklin, Molendorp, Curtman, Schad, Smith (150), Gosen, Torpey, Kelley (126), Fisher, Keeney, Brown (50), Schieffer, Lant, Long, Reiboldt, Neth, Sommer, Berry, Rowland, Houghton, White, Nance, Parkinson, Bandom, McGhee, Kelly (24), Weter, Nolte and Scharnhorst, relating to a state constitutional convention.

HJR 87, introduced by Representatives McCaherty and McNary, relating to legislative districts.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1965, introduced by Representative Elmer, relating to candidate filing dates.

HB 1966, introduced by Representatives Burlison, Jones (89), Fisher, Klippenstein, Guernsey, Jones (117), Elmer, Parkinson, Cross, Haefner and Fraker, relating to the records of regularly conducted activity as evidence law.

HB 1967, introduced by Representatives Parkinson, Conway (14), Bahr, Funderburk, Dieckhaus, Sommer, Schneider and Gatschenberger, relating to repeals of certain local sales taxes.

HB 1968, introduced by Representatives Parkinson, Jones (89), Bahr, Funderburk, Tilley, Cox, Sommer, Gatschenberger, Franklin and Fitzwater, relating to signs posting private property off-limits for concealed firearms.

HB 1969, introduced by Representatives Schneider, Cross, Nasheed, Hampton, Fraker, Redmon and McGhee, relating to sewerage and water services.

HB 1970, introduced by Representative Jones (117), relating to sunset dates for exceptions to the public records law.

HB 1971, introduced by Representatives Schneider and Bahr, relating to political subdivisions.

HB 1972, introduced by Representatives McCreery, Leara, Gosen, Newman, Kirkton, Schupp, McGeoghegan, Smith (71), Walton Gray, Morgan, Allen, Oxford and Ellinger, relating to sewer service line fees.

HB 1973, introduced by Representatives Meadows, Montecillo, Colona and Schieffer, relating to a reserve police force in St. Louis.

HB 1974, introduced by Representatives Oxford, Atkins, Jones (63), Pace, Schupp, Walton Gray and Ellington, relating to investor-owned utilities.

HB 1975, introduced by Representatives Oxford, Atkins, Jones (63), Pace, Walton Gray, Bahr and McGeoghegan, relating to financial records of professional sports teams receiving public funds.

HB 1976, introduced by Representatives Oxford, Atkins, Jones (63), Pace, Schupp, Carlson and Ellington, relating to cigarette taxes.

HB 1977, introduced by Representatives Oxford, Schupp, Pace, Atkins, Carlson and Walton Gray, relating to the reporting of cruelty to animals.

HB 1978, introduced by Representatives Oxford, Carter, Atkins, Pace, Kirkton, Spreng, Lampe, Aull, Jones (63), Colona, Hummel, Walton Gray, Schupp, Hughes, McGeoghegan, Schieffer, Carlson and Ellington, relating to caseload standards for certain state agencies.

HB 1979, introduced by Representatives Brattin, Higdon and Houghton, relating to nondriver's licenses.

HB 1980, introduced by Representative Richardson, relating to school property owned by community college districts.

HB 1981, introduced by Representatives Sommer, Franklin, Kelley (126) and Zerr, relating to the presidential primary date.

HB 1982, introduced by Representatives Parkinson and Gatschenberger, relating to tax information on sales receipts.

HB 1983, introduced by Representatives Korman, Tilley, McGhee, Cross, Brattin, Wells, Pollock, Rowland, Denison, Shumake, Cierpiot, Schad, Gatschenberger, Thomson, Weter, Long, Curtman, Houghton, Riddle, Richardson, Sommer, Jones (89), Entlicher, Johnson, Redmon, White, Wieland, Fuhr, Davis, Reiboldt, Lant, Bahr, Funderburk, Carter, Hummel, Colona, Kratky, Webb, McNeil and Black, relating to a sales tax holiday for products made in the United States.

HB 1984, introduced by Representatives Flanigan and Allen, relating to expenditures of state revenues.

HB 1985, introduced by Representative Zerr, relating to tax credits.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 557**, entitled:

An act to repeal section 301.190, RSMo, and to enact in lieu thereof one new section relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 620**, entitled:

An act to repeal sections 376.010, 376.015, and 376.307, RSMo, and to enact in lieu thereof three new sections relating to life, health, and accident insurance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 626**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to products liability.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 633**, entitled:

An act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to scrap metal operators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 667**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 689**, entitled:

An act to repeal sections 565.182 and 570.145, RSMo, and to enact in lieu thereof two new sections relating to crimes against certain types of vulnerable persons, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 714**, entitled:

An act to repeal section 301.010, RSMo, and to enact in lieu thereof two new sections relating to the use of recreational off-highway vehicles, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 755**, entitled:

An act to amend chapter 574, RSMo, by adding thereto one new section relating to crimes involving institutions, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847**, entitled:

An act to repeal sections 143.1009 and 301.3084, RSMo, and to enact in lieu thereof eleven new sections relating to transportation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 769**, entitled:

An act to amend chapter 701, RSMo, by adding thereto one new section relating to anemometer towers, with penalty provisions.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Brown (50) and Holsman.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, March 23, 2012.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Joe Fallert, District 104, hereby state and affirm that my presence as recorded on page 636 of the Journal of the House for Tuesday, March 20, 2012 was not recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, and my absence was incorrectly recorded.

IN WITNESS THEREOF, I have hereunto subscribed my hand to this affidavit on this 22nd day of March, 2012.

/s/ Joseph Fallert, Jr.
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 22nd day of March in the year 2012.

/s/ Leticia J. Long
Notary Public

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, March 26, 2012, Upon Afternoon Adjournment South Gallery.
Executive session will be held: HCR 31
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, March 27, 2012, Upon Morning Adjournment House Hearing Room 6.
Public hearing will be held: HB 1793, HB 1895
Executive session may be held on any matter referred to the committee.
Possible work session on HB 1660

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 26, 2012, 1:30 PM House Hearing Room 5.
Public hearing will be held: HB 1452, HB 1503, HB 1426
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Monday, March 26, 2012, 2:30 PM South Gallery.

Public hearing will be held: HB 1051

Executive session will be held: HB 1051

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

FISCAL REVIEW

Thursday, March 29, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

HEALTH CARE POLICY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 18

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, March 27, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1922, SS SB 464

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, March 26, 2012, Upon Morning Adjournment House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

Contested fiscal note: HCS HB 1717

Only Oversight Subcommittee members required

JUDICIARY

Wednesday, March 28, 2012, 6:00 PM 1817 Hayselton Dr., Jefferson City.

Judiciary Committee dinner meeting.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, March 26, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 1413, HB 1902

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND
ACCOUNTABILITY

Monday, March 26, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1940, HB 1941, HB 1955

Executive session may be held on any matter referred to the committee.

No meal will be provided.

CANCELLED

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, March 26, 2012, 1:00 PM House Hearing Room 3.

Public hearing will be held: HB 1809

Executive session will be held: HB 1305, HB 1076

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, March 27, 2012, 5:00 PM or Upon Adjournment, whichever is later.

House Hearing Room 5.

Public hearing will be held: HB 1788, HB 1836, HB 1911

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, March 26, 2012, Upon Evening Adjournment House Hearing Room 5.

Public hearing will be held: HB 1556

Executive session will be held: HB 1898

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, March 27, 2012, 8:30 AM House Hearing Room 1.

Public hearing will be held: HJR 85, SCS SB 498

Executive session may be held on any matter referred to the committee.

Executive session may follow.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 26, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1643, HCR 33, HB 1837

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-THIRD DAY, FRIDAY, MARCH 23, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 86 and HJR 87

HOUSE BILLS FOR SECOND READING

HB 1965 through HB 1985

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 52 - Ruzicka

2 HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1169 - Franz
- 3 HB 1296 - Davis
- 4 HCS HB 1361 - Pollock
- 5 HB 1046 - Rowland
- 6 HCS HB 1094 - Wieland
- 7 HCS HB 1272 - Kelley (126)
- 8 HCS HB 1395 - Korman
- 9 HCS HB 1475 - Cross
- 10 HB 1512 - Curtman
- 11 HCS HB 1541 - Jones (89)
- 12 HCS HB 1722 - Thomson
- 13 HCS HB 1647 - Riddle
- 14 HCS HB 1126 - Largent
- 15 HB 1172 - Franz
- 16 HCS HB 1275 - Koenig
- 17 HCS HBs 1278 & 1152 - Long
- 18 HCS#2 HB 1344 - Nasheed
- 19 HCS HB 1402 - Burlison
- 20 HCS HB 1498 - Hough
- 21 HB 1593 - Jones (89)
- 22 HCS HB 1608 - White
- 23 HCS HB 1700 - Schad
- 24 HB 1909 - Hoskins

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

- 1 HB 1341 - Dugger
- 2 HCS#2 HB 1524 - Phillips

(3/21/2012)

- 1 HB 1048, E.C. - Schneider
- 2 HB 1062 - Dieckhaus
- 3 HB 1063 - Conway (27)
- 4 HB 1170 - Franz
- 5 HCS HB 1171 - Franz
- 6 HB 1221 - Black
- 7 HB 1261 - Swearingen
- 8 HB 1264 - Fallert
- 9 HB 1267 - Denison
- 10 HB 1315 - McCaherty
- 11 HCS HB 1325 - Cox
- 12 HB 1345 - Cauthorn
- 13 HCS HB 1363 - Schieffer

- 14 HCS HB 1407 - Walton Gray
- 15 HB 1408 - Walton Gray
- 16 HB 1424 - Marshall
- 17 HB 1460 - Jones (117)
- 18 HCS#2 HB 1462 - Cauthorn
- 19 HCS HB 1477 - Brown (116)
- 20 HB 1484 - McCaherty
- 21 HCS HBs 1518 & 1522 - Grisamore
- 22 HCS HB 1527 - Elmer
- 23 HB 1545 - Kirkton
- 24 HB 1560 - Diehl
- 25 HCS HB 1563 - Sater
- 26 HB 1615 - Oxford
- 27 HCS HB 1623 - Ellinger
- 28 HB 1630 - Franz
- 29 HB 1636 - Fuhr
- 30 HB 1651 - McGeoghegan
- 31 HB 1652 - McGeoghegan
- 32 HB 1662 - Weter
- 33 HB 1665 - Jones (63)
- 34 HB 1680 - Davis
- 35 HB 1687 - Schieffer
- 36 HB 1692 - Entlicher
- 37 HCS HB 1717 - Kelley (126)
- 38 HB 1737 - Gatschenberger
- 39 HCS HB 1738, E.C. - Grisamore
- 40 HB 1744 - Kelley (126)
- 41 HB 1782 - Fitzwater
- 42 HB 1804 - Molendorp
- 43 HB 1807 - Marshall
- 44 HB 1811 - Carter
- 45 HB 1820 - Asbury
- 46 HCS HB 1827 - Richardson
- 47 HCS HB 1841 - Jones (117)
- 48 HB 1864 - Johnson
- 49 HB 1868 - Cauthorn
- 50 HCS HB 1875 - Nance
- 51 HB 1878 - Riddle
- 52 HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1051, (Fiscal Review 3/21/12) - Allen

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

SENATE BILLS FOR SECOND READING

- 1 SB 557
- 2 SB 620
- 3 SCS SB 626
- 4 SS SCS SB 633
- 5 SB 667
- 6 SS SCS SB 689
- 7 SCS SB 714
- 8 SS SCS SB 755
- 9 SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847
- 10 SS SB 769

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Kelley (126)
- 2 HCS HCR 30 - Hampton
- 3 HCR 25 - Allen

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-THIRD DAY, FRIDAY, MARCH 23, 2012

The House met pursuant to adjournment.

Representative Barnes in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 86 and **HJR 87** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1965 through **HB 1985** were read the second time.

SECOND READING OF SENATE BILLS

SB 557, SB 620, SCS SB 626, SS SCS SB 633, SB 667, SS SCS SB 689, SCS SB 714, SS SCS SB 755, SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 and **SS SB 769** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1966 - General Laws

COMMITTEE REPORT

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1280**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following members' presence was noted: Gatschenberger, Hodges and Swearingen.

ADJOURNMENT

On motion of Representative Barnes, the House adjourned until 4:00 p.m., Monday, March 26, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, March 26, 2012, Upon Afternoon Adjournment South Gallery.

Executive session will be held: HCR 31

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, March 27, 2012, Upon Morning Adjournment House Hearing Room 6.

Public hearing will be held: HB 1793, HB 1895

Executive session may be held on any matter referred to the committee.

Possible work session on HB 1660.

CHILDREN AND FAMILIES

Wednesday, March 28, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1790

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 26, 2012, 1:30 PM House Hearing Room 5.

Public hearing will be held: HB 1452, HB 1503, HB 1426

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, March 27, 2012, 5:00 PM House Hearing Room 3.

Public hearing will be held: HB 1493, HB 1779

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 27, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1648

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Monday, March 26, 2012, 2:30 PM South Gallery.

Public hearing will be held: HB 1051

Executive session will be held: HB 1051

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

FISCAL REVIEW

Thursday, March 29, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

HEALTH CARE POLICY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 18

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, March 27, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1922, SS SB 464

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, March 27, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 563, SB 455, HB 1918

Executive session will be held: SB 455, HB 1855

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, March 26, 2012, Upon Afternoon Adjournment House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

Contested fiscal note: HCS HB 1717

Only Oversight Subcommittee members required.

CORRECTED

JUDICIARY

Wednesday, March 28, 2012, 6:00 PM 1817 Hayselton Dr., Jefferson City.

Judiciary Committee dinner meeting

LOCAL GOVERNMENT

Wednesday, March 28, 2012, 8:30 AM House Hearing Room 7.

Public hearing will be held: HB 1047, HB 1397

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 28, 2012, Upon Morning Recess or 12 PM,
whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1082, HB 1784, HB 1508

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 27, 2012, 8:00 AM House Hearing Room 7.

Executive session will be held: HB 1815

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, March 26, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 1413, HB 1902

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND
ACCOUNTABILITY

Monday, March 26, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1940, HB 1941, HB 1955

Executive session may be held on any matter referred to the committee.

No meal will be provided.

CANCELLED

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, March 26, 2012, 1:00 PM House Hearing Room 3.

Public hearing will be held: HB 1809

Executive session will be held: HB 1305, HB 1076

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 27, 2012, Upon Morning Recess House Hearing Room 7.

Public hearing will be held: SS SCS SB 470, HCR 6, HB 1874

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Wednesday, March 28, 2012, Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: HB 1874

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, March 27, 2012, 5:00 PM or upon Adjournment, whichever is later.

House Hearing Room 5.

Public hearing will be held: HB 1788, HB 1836, HB 1911

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, March 26, 2012, Upon Evening Adjournment House Hearing Room 5.

Public hearing will be held: HB 1556

Executive session will be held: HB 1898

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, March 27, 2012, 8:30 AM House Hearing Room 1.

Public hearing will be held: HJR 85, SCS SB 498

Executive session may be held on any matter referred to the committee.

Executive session may follow.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 26, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1643, HCR 33, HB 1837

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-FOURTH DAY, MONDAY, MARCH 26, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 52 - Ruzicka
- 2 HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1169 - Franz
- 3 HB 1296 - Davis
- 4 HCS HB 1361 - Pollock
- 5 HB 1046 - Rowland
- 6 HCS HB 1094 - Wieland
- 7 HCS HB 1272 - Kelley (126)
- 8 HCS HB 1395 - Korman
- 9 HCS HB 1475 - Cross
- 10 HB 1512 - Curtman

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- 11 HCS HB 1541 - Jones (89)
- 12 HCS HB 1722 - Thomson
- 13 HCS HB 1647 - Riddle
- 14 HCS HB 1126 - Largent
- 15 HB 1172 - Franz
- 16 HCS HB 1275 - Koenig
- 17 HCS HBs 1278 & 1152 - Long
- 18 HCS#2 HB 1344 - Nasheed
- 19 HCS HB 1402 - Burlison
- 20 HCS HB 1498 - Hough
- 21 HB 1593 - Jones (89)
- 22 HCS HB 1608 - White
- 23 HCS HB 1700 - Schad
- 24 HB 1909 - Hoskins
- 25 HCS HB 1134 - Scharnhorst
- 26 HB 1403 - Schatz

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

- 1 HB 1341 - Dugger
- 2 HCS#2 HB 1524 - Phillips

(3/21/2012)

- 1 HB 1048, E.C. - Schneider
- 2 HB 1062 - Dieckhaus
- 3 HB 1063 - Conway (27)
- 4 HB 1170 - Franz
- 5 HCS HB 1171 - Franz
- 6 HB 1221 - Black
- 7 HB 1261 - Swearingen
- 8 HB 1264 - Fallert
- 9 HB 1267 - Denison
- 10 HB 1315 - McCaherty
- 11 HCS HB 1325 - Cox
- 12 HB 1345 - Cauthorn
- 13 HCS HB 1363 - Schieffer
- 14 HCS HB 1407 - Walton Gray
- 15 HB 1408 - Walton Gray
- 16 HB 1424 - Marshall
- 17 HB 1460 - Jones (117)
- 18 HCS#2 HB 1462 - Cauthorn

- 19 HCS HB 1477 - Brown (116)
- 20 HB 1484 - McCaherty
- 21 HCS HBs 1518 & 1522 - Grisamore
- 22 HCS HB 1527 - Elmer
- 23 HB 1545 - Kirkton
- 24 HB 1560 - Diehl
- 25 HCS HB 1563 - Sater
- 26 HB 1615 - Oxford
- 27 HCS HB 1623 - Ellinger
- 28 HB 1630 - Franz
- 29 HB 1636 - Fuhr
- 30 HB 1651 - McGeoghegan
- 31 HB 1652 - McGeoghegan
- 32 HB 1662 - Weter
- 33 HB 1665 - Jones (63)
- 34 HB 1680 - Davis
- 35 HB 1687 - Schieffer
- 36 HB 1692 - Entlicher
- 37 HCS HB 1717 - Kelley (126)
- 38 HB 1737 - Gatschenberger
- 39 HCS HB 1738, E.C. - Grisamore
- 40 HB 1744 - Kelley (126)
- 41 HB 1782 - Fitzwater
- 42 HB 1804 - Molendorp
- 43 HB 1807 - Marshall
- 44 HB 1811 - Carter
- 45 HB 1820 - Asbury
- 46 HCS HB 1827 - Richardson
- 47 HCS HB 1841 - Jones (117)
- 48 HB 1864 - Johnson
- 49 HB 1868 - Cauthorn
- 50 HCS HB 1875 - Nance
- 51 HB 1878 - Riddle
- 52 HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1051, (Fiscal Review 3/21/12) - Allen

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Kelley (126)
- 2 HCS HCR 30 - Hampton
- 3 HCR 25 - Allen

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-FOURTH DAY, MONDAY, MARCH 26, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

Psalm 25, A Psalm of David. To You, O LORD, I lift up my soul. O my God, in You I trust, do not let me be ashamed; Do not let my enemies exult over me. Indeed, none of those who wait for You will be ashamed; Those who deal treacherously without cause will be ashamed. Make me know Your ways, O LORD; Teach me Your paths. Lead me in Your truth and teach me, for You are the God of my salvation; For You I wait all the day.

Remember, O LORD, Your compassion and Your loving-kindness, for Your goodness' sake, O LORD, pardon my iniquity, for it is great. Who is the man who fears the LORD? He will instruct him in the way he should choose. His soul will aide in prosperity, and his descendants will inherit the land. The secret of the LORD is for those who fear Him, and He will make them know His covenant.

My eyes are continually toward the LORD, for He will pluck my feet out of the net. Turn to me and be gracious to me, for I am lonely and afflicted. The troubles of my heart are enlarged; Bring me out of my distresses. Look upon my affliction and my trouble, and forgive all my sins. Look upon my enemies, for they are many, and they hate me with violent hatred. Guard my soul and deliver me; Do not let me be ashamed for I take refuge in You. Let integrity and uprightness preserve me, for I wait for You.

We call upon You in this prayer. Please answer and be glorified.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-second day was approved as corrected.

The Journal of the forty-third day was approved as printed.

HOUSE RESOLUTION

Representative Still offered House Resolution No. 1422.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1420 and House Resolution No. 1421
House Resolution No. 1423 through House Resolution No. 1444

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1051**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 52, relating to wildlife and forestry resources, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HJR 52** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 1296, relating to child custody for military personnel, was taken up by Representative Davis.

Representative McCaherty assumed the Chair.

Representative Davis offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1296, Page 3, Section 452.413, Line 57, by striking the word “sowing” and inserting in lieu thereof the word “**showing**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 1** was adopted.

On motion of Representative Davis, **HB 1296, as amended**, was ordered perfected and printed.

HCS HB 1647, relating to the collection of hazardous waste fees, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS HB 1647** was adopted.

On motion of Representative Riddle, **HCS HB 1647** was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HB 1051, relating to a comparative audit of state agencies, was taken up by Representative Allen.

On motion of Representative Allen, **HB 1051** was read the third time and passed by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Nance	Neth	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 055

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Higdon	Hodges
Holsman	Hubbard	Hummel	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McManus	McNeil	Molendorp
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Silvey
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Funderburk	Hughes	Jones 63	Lasater
McGeoghegan	McNary	Meadows	Pollock	Webb

Representative McCaherty declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 46 - Utilities

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1162 - Small Business

HB 1163 - Small Business

HB 1844 - Financial Institutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 689 - Crime Prevention and Public Safety

SS SCS SB 699 - Crime Prevention and Public Safety

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1341** and **HCS#2 HB 1524**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 88, introduced by Representative Riddle, relating to bingo.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1986, introduced by Representative Barnes, relating to statewide student assessments.

HB 1987, introduced by Representative Leara, relating to mental health screenings for children and use of psychotropic medications.

HB 1988, introduced by Representative Brandom, relating to the Missouri certified and licensed real estate appraisers and appraisal management company regulation act.

The following member's presence was noted: Pollock.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 27, 2012.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Karla May, District 57, hereby state and affirm that my vote as recorded on Page 681 of the Journal of the House for Thursday, March 22, 2012, by which House Committee Substitute for House Bill 2007 was third read and passed was incorrectly recorded as Aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 26th day of March 2012.

/s/ Karla May
State Representative

State of Missouri)
)ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 26th day of March in the year 2012.

/s/ Megan Limbach
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 27, 2012, Upon Morning Adjournment House Hearing Room 6.

Public hearing will be held: HB 1793, HB 1895

Executive session may be held on any matter referred to the committee.

Possible work session on HB 1660

BUDGET

Wednesday, March 28, 2012, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: SCS SB 655, HJR 57, HJR 58, HJR 68

CHILDREN AND FAMILIES

Wednesday, March 28, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1790

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1952, HB 1822, HB 1334

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, March 27, 2012, 5:00 PM House Hearing Room 3.

Public hearing will be held: HB 1493, HB 1779

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 27, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1648

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 28, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1201, HJR 70

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 29, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

GENERAL LAWS

Tuesday, March 27, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1966, HB 1690, HB 1469, HB 1585, HB 1935

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 18

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, March 27, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1922, SS SB 464

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, March 27, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 563, SB 455, HB 1918

Executive session will be held: SB 455, HB 1855

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 28, 2012, 6:00 PM 1817 Hayselton Dr., Jefferson City.
Judiciary Committee dinner meeting

LOCAL GOVERNMENT

Wednesday, March 28, 2012, 8:30 AM House Hearing Room 7.
Public hearing will be held: HB 1047, HB 1397
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 28, 2012, Upon Morning Recess or 12 PM, whichever comes first,
House Hearing Room 5.
Public hearing will be held: HB 1082, HB 1784, HB 1508
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 27, 2012, 8:00 AM House Hearing Room 7.
Executive session will be held: HB 1815
Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1306
Executive session will be held: HB 1702, HB 1674, HB 1146, HB 1065
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 27, 2012, Upon Morning Recess House Hearing Room 7.
Public hearing will be held: SS SCS SB 470, HCR 6, HB 1874
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Wednesday, March 28, 2012, Upon Afternoon Adjournment House Hearing Room 5.
Public hearing will be held: HB 1874
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, March 27, 2012, 5:00 PM or Upon Adjournment, whichever is later,
House Hearing Room 5.
Public hearing will be held: HB 1788, HB 1836, HB 1911
Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, March 27, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1919

Executive session will be held: SB 594

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, March 27, 2012, 8:30 AM House Hearing Room 1.

Public hearing will be held: HJR 85, SCS SB 498

Executive session may be held on any matter referred to the committee.

Executive session may follow.

HOUSE CALENDAR

FORTY-FIFTH DAY, TUESDAY, MARCH 27, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 88

HOUSE BILLS FOR SECOND READING

HB 1986 through HB 1988

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1169 - Franz
- 3 HCS HB 1361 - Pollock
- 4 HB 1046 - Rowland
- 5 HCS HB 1094 - Wieland
- 6 HCS HB 1272 - Kelley (126)
- 7 HCS HB 1395 - Korman
- 8 HCS HB 1475 - Cross
- 9 HB 1512 - Curtman
- 10 HCS HB 1541 - Jones (89)
- 11 HCS HB 1722 - Thomson
- 12 HCS HB 1126 - Largent
- 13 HB 1172 - Franz
- 14 HCS HB 1275 - Koenig
- 15 HCS HBs 1278 & 1152 - Long
- 16 HCS#2 HB 1344 - Nasheed

- 17 HCS HB 1402 - Burlison
- 18 HCS HB 1498 - Hough
- 19 HB 1593 - Jones (89)
- 20 HCS HB 1608 - White
- 21 HCS HB 1700 - Schad
- 22 HB 1909 - Hoskins
- 23 HCS HB 1134 - Scharnhorst
- 24 HB 1403 - Schatz
- 25 HCS HB 1060 - Dugger
- 26 HCS HB 1549 - Richardson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/21/2012)

- 1 HB 1048, E.C. - Schneider
- 2 HB 1062 - Dieckhaus
- 3 HB 1063 - Conway (27)
- 4 HB 1170 - Franz
- 5 HCS HB 1171 - Franz
- 6 HB 1221 - Black
- 7 HB 1261 - Swearingen
- 8 HB 1264 - Fallert
- 9 HB 1267 - Denison
- 10 HB 1315 - McCaherty
- 11 HCS HB 1325 - Cox
- 12 HB 1345 - Cauthorn
- 13 HCS HB 1363 - Schieffer
- 14 HCS HB 1407 - Walton Gray
- 15 HB 1408 - Walton Gray
- 16 HB 1424 - Marshall
- 17 HB 1460 - Jones (117)
- 18 HCS#2 HB 1462 - Cauthorn
- 19 HCS HB 1477 - Brown (116)
- 20 HB 1484 - McCaherty
- 21 HCS HBs 1518 & 1522 - Grisamore
- 22 HCS HB 1527 - Elmer
- 23 HB 1545 - Kirkton
- 24 HB 1560 - Diehl
- 25 HCS HB 1563 - Sater
- 26 HB 1615 - Oxford
- 27 HCS HB 1623 - Ellinger
- 28 HB 1630 - Franz
- 29 HB 1636 - Fuhr
- 30 HB 1651 - McGeoghegan
- 31 HB 1652 - McGeoghegan

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- 32 HB 1662 - Weter
- 33 HB 1665 - Jones (63)
- 34 HB 1680 - Davis
- 35 HB 1687 - Schieffer
- 36 HB 1692 - Entlicher
- 37 HCS HB 1717 - Kelley (126)
- 38 HB 1737 - Gatschenberger
- 39 HCS HB 1738, E.C. - Grisamore
- 40 HB 1744 - Kelley (126)
- 41 HB 1782 - Fitzwater
- 42 HB 1804 - Molendorp
- 43 HB 1807 - Marshall
- 44 HB 1811 - Carter
- 45 HB 1820 - Asbury
- 46 HCS HB 1827 - Richardson
- 47 HCS HB 1841 - Jones (117)
- 48 HB 1864 - Johnson
- 49 HB 1868 - Cauthorn
- 50 HCS HB 1875 - Nance
- 51 HB 1878 - Riddle
- 52 HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock

- 13 HB 1668 - Denison
- 14 HB 1341 - Dugger
- 15 HCS#2 HB 1524 - Phillips

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Kelley (126)
- 2 HCS HCR 30 - Hampton
- 3 HCR 25 - Allen

SENATE BILLS FOR THIRD READING

SB 450, E.C. - Schneider

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-FIFTH DAY, TUESDAY, MARCH 27, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are they that mourn: for they shall be comforted. (Matthew 5:4)

O Eternal God of our spirits, Who is the light of the minds that know You, the life of the souls that love You, and the strength of the hearts that serve You, help us so to know You that we may come to love You, so to love You that we may be able to serve You with all our hearts.

We face tasks that are beyond our power to meet adequately; we have responsibilities that are more than we can manage acceptably; we are confronted by duties that are greater than our ability to master competently - so we pray for the sustaining power of Your presence in our lives. Even in distress and sorrow may we feel the comfort of Your Holy Spirit.

Lead, Kindly Light, amid the encircling confusion, lead on us - that with clean hearts, clear minds, and courageous spirits we may usher in the day when peace shall reign and good will rule the hearts of all. So may Your kingdom come and Your will be done on Earth.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Grace Hamby and Abigail Rainwater.

The Journal of the forty-fourth day was approved as printed.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 88 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1986 through **HB 1988** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1909, relating to an aviation jet fuel tax exemption, was taken up by Representative Hoskins.

Representative Long assumed the Chair.

On motion of Representative Hoskins, **HB 1909** was ordered perfected and printed.

HB 1512, relating to the Civil Liberties Defense Act, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 1512** was ordered perfected and printed by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 046

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Dieckhaus
Redmon

Funderburk
Mr Speaker

Hughes

Lasater

McNary

HCS HB 1395, relating to a land survey program, was taken up by Representative Korman.

Representative Korman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1395, Page 2, Section 59.319, Line 28, by inserting after the phrase “**30.180, RSMo.**” on said line, the following:

“**The state and the department of natural resources shall use no more than twenty percent of all moneys collected under this subsection to pay for state and department administrative cost allocation.**”; and

Further amend said bill, page, and section, Line 32, by inserting after the word “**income**” on said line the phrase “**, interest, and moneys earned**”; and

Further amend said bill, page, and section, Lines 35-36, by deleting all of said lines and inserting in lieu thereof the following:

“**of unexpected balances to the general revenue funds**”; and

Further amend said bill, Page 5, Section 60.595, Line 14, by deleting the phrase “workshops, conferences” on said line and inserting in lieu thereof the phrase “[workshops] **workshop fees**, [conferences] **conference fees**”; and

Further amend said bill, Page 6, Section 60.620, Line 28, by deleting on said line the phrase “**and deputy director of the division**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cauthorn offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1395, Page 1, Line 3, by deleting the word “**twenty**” and inserting in lieu thereof the word “**ten**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 1 to House Amendment No. 1** was adopted.

HCS HB 1395, with House Amendment No. 1, as amended, pending, was laid over.

HCS HB 1361, relating to utilities, was taken up by Representative Pollock.

HCS HB 1361 was laid over.

On motion of Representative Jones (89), the House recessed until 2:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

PERFECTION OF HOUSE BILLS

HCS HB 1541, relating to the conscience right of medical workers, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1541, Page 2, Section 191.1150, Line 30, by inserting after the word “**and**” the words “**non-therapeutic benefit**”; and

Further amend said bill, Page 3, Section 191.1159, Line 2, and Section 191.1162, Line 2, by deleting the phrase “**health care professional**” and inserting in lieu thereof the phrase “**medical professional**”; and

Further amend said bill, Section 191.1168, Page 4, Line 2, by inserting immediately after the section number “**1.140**” the following:

“, **except sections 191.1159 and 191.1162, which shall not be severable from those sections**”; and

Further amend said bill, section and page, Line 3, by inserting immediately after the section number “**191.1168**” the following:

“, **except section 191.1159 and 191.1162,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

On motion of Representative Jones (89), **HCS HB 1541, as amended**, was adopted.

On motion of Representative Jones (89), **HCS HB 1541, as amended**, was ordered perfected and printed.

HCS HB 1395, with House Amendment No. 1, as amended, pending, relating to a land survey program, was again taken up by Representative Korman.

On motion of Representative Korman, **House Amendment No. 1, as amended**, was adopted.

Representative Ruzicka offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1395, Page 1, In the Title, Lines 2 and 3, by deleting the words, “the land survey program” and inserting in lieu thereof the words, “the department of natural resources”; and

Further amend said bill, Page 6, Section 60.620, Line 34, by inserting after all of said line the following:

“640.100. 1. The safe drinking water commission created in section 640.105 shall promulgate rules necessary for the implementation, administration and enforcement of sections 640.100 to 640.140 and the federal Safe Drinking Water Act as amended.

2. No standard, rule or regulation or any amendment or repeal thereof shall be adopted except after a public hearing to be held by the commission after at least thirty days' prior notice in the manner prescribed by the rulemaking provisions of chapter 536 and an opportunity given to the public to be heard; the commission may solicit the views, in writing, of persons who may be affected by, knowledgeable about, or interested in proposed rules and regulations, or standards. Any person heard or registered at the hearing, or making written request for notice, shall be given written notice of the action of the commission with respect to the subject thereof. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated to administer and enforce sections 640.100 to 640.140 shall become effective only if the agency has fully complied with all of the requirements of chapter 536, including but not limited to section 536.028, if applicable, after June 9, 1998. All rulemaking authority delegated prior to June 9, 1998, is of no force and effect and repealed as of June 9, 1998, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated prior to June 9, 1998. If the provisions of section 536.028 apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this chapter or chapter 644 shall affect the validity of any rule adopted and promulgated prior to June 9, 1998.

3. The commission shall promulgate rules and regulations for the certification of public water system operators, backflow prevention assembly testers and laboratories conducting tests pursuant to sections 640.100 to 640.140. Any person seeking to be a certified backflow prevention assembly tester shall satisfactorily complete standard, nationally recognized written and performance examinations designed to ensure that the person is competent to determine if the assembly is functioning within its design specifications. Any such state certification shall satisfy any need for local certification as a backflow prevention assembly tester. However, political subdivisions may set additional testing standards for individuals who are seeking to be certified as backflow prevention assembly testers. Notwithstanding any other provision of law to the contrary, agencies of the state or its political subdivisions shall only require carbonated beverage dispensers to conform to the backflow protection requirements established in the National Sanitation Foundation standard eighteen, and the dispensers shall be so listed by an independent testing laboratory. The commission shall promulgate rules and regulations for collection of samples and analysis of water furnished by municipalities, corporations, companies, state establishments, federal establishments or individuals to the public. The department of natural resources or the department of health and senior services shall, at the request of any supplier, make any analyses or tests required pursuant to the terms of section 192.320 and sections 640.100 to 640.140. The department shall collect fees to cover the reasonable cost of laboratory services, both within the department of natural resources and the department of health and senior services, laboratory certification and program administration as required by sections 640.100 to 640.140. The laboratory services and program administration fees pursuant to this subsection shall not exceed two hundred dollars for a supplier supplying less than four thousand one hundred service connections, three hundred dollars for supplying less than seven thousand six hundred service connections, five hundred dollars for supplying seven thousand six hundred or more service connections, and five hundred dollars for testing surface water. Such fees shall be deposited in the safe drinking water fund as specified in section 640.110. The analysis of all drinking water required by section 192.320 and sections 640.100 to 640.140 shall be made by the department of natural resources laboratories, department of health and senior services laboratories or laboratories certified by the department of natural resources.

4. The department of natural resources shall establish and maintain an inventory of public water supplies and conduct sanitary surveys of public water systems. Such records shall be available for public inspection during regular business hours.

5. (1) For the purpose of complying with federal requirements for maintaining the primacy of state enforcement of the federal Safe Drinking Water Act, the department is hereby directed to request appropriations from

the general revenue fund and all other appropriate sources to fund the activities of the public drinking water program and in addition to the fees authorized pursuant to subsection 3 of this section, an annual fee for each customer service connection with a public water system is hereby authorized to be imposed upon all customers of public water systems in this state. The fees collected shall not exceed the amounts specified in this subsection and the commission may set the fees, by rule, in a lower amount by proportionally reducing all fees charged pursuant to this subsection from the specified maximum amounts. Reductions shall be roughly proportional but in each case shall be divisible by twelve. Each customer of a public water system shall pay an annual fee for each customer service connection.

(2) The annual fee per customer service connection for unmetered customers and customers with meters not greater than one inch in size shall be based upon the number of service connections in the water system serving that customer, and shall not exceed:

1 to 1,000 connections.	\$ 3.24
1,001 to 4,000 connections	3.00
4,001 to 7,000 connections	2.76
7,001 to 10,000 connections	2.40
10,001 to 20,000 connections.	2.16
20,001 to 35,000 connections.	1.92
35,001 to 50,000 connections.	1.56
50,001 to 100,000 connections.	1.32
More than 100,000 connections.	1.08.

(3) The annual user fee for customers having meters greater than one inch but less than or equal to two inches in size shall not exceed seven dollars and forty-four cents; for customers with meters greater than two inches but less than or equal to four inches in size shall not exceed forty-one dollars and sixteen cents; and for customers with meters greater than four inches in size shall not exceed eighty-two dollars and forty-four cents.

(4) Customers served by multiple connections shall pay an annual user fee based on the above rates for each connection, except that no single facility served by multiple connections shall pay a total of more than five hundred dollars per year.

6. Fees imposed pursuant to subsection 5 of this section shall become effective on August 28, 2006, and shall be collected by the public water system serving the customer beginning September 1, 2006, and continuing until such time that the safe drinking water commission, at its discretion, specifies a lower amount under subdivision (1) of subsection 5 of this section. The commission shall promulgate rules and regulations on the procedures for billing, collection and delinquent payment. Fees collected by a public water system pursuant to subsection 5 of this section are state fees. The annual fee shall be enumerated separately from all other charges, and shall be collected in monthly, quarterly or annual increments. Such fees shall be transferred to the director of the department of revenue at frequencies not less than quarterly. Two percent of the revenue arising from the fees shall be retained by the public water system for the purpose of reimbursing its expenses for billing and collection of such fees.

7. Imposition and collection of the fees authorized in subsection 5 of this section shall be suspended on the first day of a calendar quarter if, during the preceding calendar quarter, the federally delegated authority granted to the safe drinking water program within the department of natural resources to administer the Safe Drinking Water Act, 42 U.S.C. 300g-2, is withdrawn. The fee shall not be reinstated until the first day of the calendar quarter following the quarter during which such delegated authority is reinstated.

8. Fees imposed pursuant to subsection 5 of this section shall expire on September 1, [2012] **2017**.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 2** was adopted.

On motion of Representative Korman, **HCS HB 1395, as amended**, was adopted.

On motion of Representative Korman, **HCS HB 1395, as amended**, was ordered perfected and printed.

HCS HB 1275, relating to local ballot proposals, was taken up by Representative Koenig.

Speaker Pro Tem Schoeller assumed the Chair.

HCS HB 1275 was laid over.

On motion of Representative Riddle, the House recessed until 7:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Smith (150).

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1445 through House Resolution No. 1499

HOUSE CONCURRENT RESOLUTION

Representative Lampe, et al., offered House Concurrent Resolution No. 51.

PERFECTION OF HOUSE BILLS

HCS HB 1700, relating to sexual offender registration, was taken up by Representative Schad.

Representative Marshall offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1700, Page 9, Section 589.401, Lines 35-37, by deleting all of said lines and inserting in lieu thereof, the following:

“4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for five years immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for three years immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fuhr offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1700, Page 1, Line 8, by deleting the phrase **“five years”** on said line and inserting in lieu thereof the phrase **“one year”**; and

Further amend said amendment and page, Line 10, by deleting the phrase **“three years”** on said line and inserting in lieu thereof the phrase **“one year”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Marshall, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 1700, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 1700, as amended**, was ordered perfected and printed.

HCS HB 1094, relating to electronic payments to state entities, was taken up by Representative Wieland.

Representative Wieland offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1094, Page 1, Section 37.007, Line 3, by deleting the word “a” on said line and inserting in lieu thereof the word “any”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wieland, **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2**.

Representative Funderburk raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Wieland, **HCS HB 1094, as amended**, was adopted.

On motion of Representative Wieland, **HCS HB 1094, as amended**, was ordered perfected and printed.

HCS HB 1402, relating to road use, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1402, Page 10, Section 390.061, Line 51, by deleting all of said line and inserting in lieu thereof the following:

“6. The state highways and transportation commission is authorized to enter into”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 1** was adopted.

On motion of Representative Burlison, **HCS HB 1402, as amended**, was adopted.

On motion of Representative Burlison, **HCS HB 1402, as amended**, was ordered perfected and printed.

HCS#2 HB 1344, relating to closure of certain criminal records, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HCS#2 HB 1344** was adopted.

On motion of Representative Nasheed, **HCS#2 HB 1344** was ordered perfected and printed.

HCS HBs 1278 & 1152, relating to tax credits, was taken up by Representative Long.

On motion of Representative Long, **HCS HBs 1278 & 1152** was adopted.

On motion of Representative Long, **HCS HBs 1278 & 1152** was ordered perfected and printed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson

Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schupp
Shively	Shumake	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	White	Wieland	Wright
Wyatt	Zerr			

NOES: 009

Carlson	Fuhr	Hughes	Klippenstein	May
McCreery	Morgan	Newman	Sifton	

PRESENT: 003

Ellinger	Smith 71	Walton Gray
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ABSENT WITH LEAVE: 014

Colona	Day	Dugger	Franklin	Kander
Largent	McNary	Sater	Schieffer	Schoeller
Silvey	Wells	Weter	Mr Speaker	

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 52 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1654 - Ways and Means

HB 1934 - Ways and Means

HB 1950 - Health Insurance

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 655 - Higher Education

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 31

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be \$6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1869**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SB 455**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1758**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1210**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1803**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 42

WHEREAS, Missouri needs a foundational, centralized, guiding document that clarifies the state's interpretation of existing laws and practices relating to educating children who are deaf and hard of hearing; and

WHEREAS, Missouri needs to clarify standard educational principles for educators and administrators, and to provide ongoing direction to policymakers so that children who are deaf and hard of hearing will not be left behind in our educational system; and

WHEREAS, deaf and hard of hearing children have the same right and potential to become as independent and self-actualizing as their hearing peers:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby endorse the "Deaf and Hard of Hearing Children's Bill of Rights" as follows:

(1) Children who are deaf or hard of hearing are entitled to appropriate screening and assessment of hearing capabilities, communication, and language needs at the earliest possible age and to the continuation of screening services throughout the educational experience;

(2) Children who are deaf or hard of hearing are entitled to early intervention to provide for acquisition of solid language bases developed at the earliest possible age;

(3) Children who are deaf or hard of hearing are entitled to their parents' or guardians' full and informed participation in their educational planning;

(4) Children who are deaf or hard of hearing benefit from interaction with adult role models who are deaf or hard of hearing;

(5) Children who are deaf or hard of hearing benefit from interacting with their deaf, hard of hearing, and hearing peers;

(6) Children who are deaf or hard of hearing are entitled to qualified teachers, interpreters, and resource personnel who communicate effectively with each child in that child's preferred mode of communication;

(7) Children who are deaf or hard of hearing are entitled to placement best suited to each child's individual needs, including but not limited to social, emotional, and cultural needs, with consideration for the child's age, degree of hearing loss, academic level, mode of communication, style of learning, motivational level, and amount of family support;

(8) Children who are deaf or hard of hearing are entitled to individual considerations for free, appropriate education across a full spectrum of educational programs;

(9) Children who are deaf or hard of hearing are entitled to full support services provided by qualified professionals in their educational settings;

(10) Children who are deaf or hard of hearing are entitled to full access to all programs in their educational settings;

(11) Children who are deaf or hard of hearing are entitled to have the public fully informed concerning medical, cultural, and linguistic issues of deafness and hearing loss;

(12) Children who are deaf or hard of hearing benefit by having deaf and hard of hearing adults involved in determining the extent, content, and purpose of programs that affect their education; and

(13) Children who are deaf or hard of hearing are entitled to free and unrestricted communication with others who communicate in their same language mode. The child's preferred mode of communication should be respected in order to attain the highest education possible for that individual in an appropriate environment; and

BE IT FURTHER RESOLVED that notwithstanding any of the above principles, nothing in this resolution shall require:

(1) Individual school districts to ensure the availability of a specific number of deaf or hard of hearing peers;

or

(2) Parents to abrogate their statutory rights to educational choice; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1794**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1854**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Renewable Energy, Chairman Holsman reporting:

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 1076** and **HB 1302**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 1305**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

LETTER OF OBJECTION

March 27, 2012

The Honorable Adam Crumbliss
Chief Clerk, Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Whereas, on March 20, 2012, **House Bill No. 1717** was duly placed on the House Consent Calendar for Perfection, and

Whereas, the rules of the House require all bills placed upon the House Consent Calendar for Perfection to be noncontroversial in nature, and

Whereas, the rules of the House require all bills placed upon the House Consent Calendar for Perfection to not reduce net revenue of the state, and

Whereas, the rules of the House provide that five members of the House, with at least two from each political party may file written objection with the Chief Clerk, thereby removing such bill from the House Consent Calendar for Perfection and requiring it be placed upon the House Bills to be Perfected and Printed Calendar,

Now, therefore, we the undersigned members of the Missouri House of Representatives, pursuant to House Rule 45(b), object to **House Bill No. 1717** placement upon the House Consent Calendar for Perfection and respectfully request its removal under the rules.

/s/ Ryan Silvey
District 38

/s/ Mary W. Still
District 25

/s/ Thomas Flanigan
District 127

/s/ Chris Kelly
District 24

/s/ Sue Allen
District 92

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1048, HB 1062, HB 1063, HB 1170, HCS HB 1171, HB 1221, HB 1261, HB 1264, HB 1267, HB 1315, HCS HB 1325, HB 1345, HCS HB 1363, HCS HB 1407, HB 1408, HB 1424, HB 1460, HCS#2 HB 1462, HCS HB 1477, HB 1484, HCS HBs 1518 & 1522, HCS HB 1527, HB 1545, HB 1560, HCS HB 1563, HB 1615, HCS HB 1623, HB 1630, HB 1636, HB 1651, HB 1652, HB 1662, HB 1665, HB 1680, HB 1687, HB 1692, HB 1737, HCS HB 1738, HB 1744, HB 1782, HB 1804, HB 1807, HB 1811, HB 1820, HCS HB 1827, HCS HB 1841, HB 1864, HB 1868, HCS HB 1875, HB 1878 and HB 1880.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1989, introduced by Representative Riddle, relating to the designation of the state rifle.

HB 1990, introduced by Representatives Phillips, Wright, Rowland and Houghton, relating to procedures for vaccinations administered to certain children.

HB 1991, introduced by Representative Phillips, relating to liens filed by sewer districts.

HB 1992, introduced by Representatives Phillips and Rowland, relating to chemical tests for blood alcohol content.

HB 1993, introduced by Representatives Lampe, Nasheed, McNeil, Webber, Hodges, McDonald, Kirkton, Ellinger, McCann Beatty, Nichols, Pierson, Morgan, Walton Gray, Hubbard, May, Pace, Montecillo, Oxford, Atkins, Schupp, Hough, Fallert, Casey, Carter, Holsman, Brown (50), Black, Colona, Taylor, Swinger, McManus, Talboy, Silvey and Sifton, relating to the children in crisis tax credit.

HB 1994, introduced by Representative Carlson, relating to adoption.

HB 1995, introduced by Representative Bernskoetter, relating to mortgage loan originators.

HB 1996, introduced by Representatives Weter and Sater, relating to advanced practice registered nurses.

HB 1997, introduced by Representatives McNeil, Morgan, Lampe and Still, relating to unaccredited schools.

HB 1998, introduced by Representative Franz, relating to health care services and fees.

HB 1999, introduced by Representative Zerr, relating to science and innovation.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 28, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, March 29, 2012, 8:30 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Information session on proposed policies

BUDGET

Wednesday, March 28, 2012, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HJR 57, HJR 58

AMENDED

CHILDREN AND FAMILIES

Wednesday, March 28, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1790

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1952, HB 1822, HB 1334

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 29, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HJR 42, HJR 60

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 28, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1201, HJR 70

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 29, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

HEALTH CARE POLICY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 18

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 2, 2012, 6:00 or Upon Evening Adjournment House Hearing Room 1.

Public hearing will be held: HB 1942, HB 1936

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 28, 2012, Upon Morning Recess South Gallery.

Executive session will be held: HB 1639

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1716, HB 1479, HB 1677, HB 1553

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 28, 2012, 6:00 PM 1817 Hayselton Dr., Jefferson City.

Judiciary Committee dinner meeting

LOCAL GOVERNMENT

Wednesday, March 28, 2012, 8:30 AM House Hearing Room 7.

Public hearing will be held: HB 1047, HB 1397

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 28, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1082, HB 1784, HB 1508

Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1306, HB 1162, HB 1163

Executive session will be held: HB 1702, HB 1674, HB 1146, HB 1065

Executive session may be held on any matter referred to the committee.

Also hearing HB 1162 and 1163

AMENDED

TOURISM AND NATURAL RESOURCES

Thursday, March 29, 2012, 9:00 AM House Hearing Room 7.

Executive session will be held: SS SCS SB 719

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Wednesday, March 28, 2012, Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: HB 1874

Executive session may be held on any matter referred to the committee.

CANCELLED

WAYS AND MEANS

Thursday, March 29, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1934, HB 1654, HJR 67

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SIXTH DAY, WEDNESDAY, MARCH 28, 2012

HOUSE BILLS FOR SECOND READING

HB 1989 through HB 1999

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1169 - Franz
- 3 HCS HB 1361 - Pollock
- 4 HB 1046 - Rowland
- 5 HCS HB 1272 - Kelley (126)
- 6 HCS HB 1475 - Cross
- 7 HCS HB 1722 - Thomson
- 8 HCS HB 1126 - Largent
- 9 HB 1172 - Franz
- 10 HCS HB 1275 - Koenig
- 11 HCS HB 1498 - Hough
- 12 HB 1593 - Jones (89)
- 13 HCS HB 1608 - White
- 14 HCS HB 1134 - Scharnhorst
- 15 HB 1403 - Schatz
- 16 HCS HB 1060 - Dugger
- 17 HCS HB 1549 - Richardson
- 18 HCS HB 1717 - Kelley (126)
- 19 HCS HB 1111 - Gosen
- 20 HCS HB 1150 - Smith (150)

- 21 HCS HB 1515 - Schad
- 22 HCS HB 1640 - Denison
- 23 HB 1691 - Dugger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS HJR 61 - Loehner
- 2 HJR 52, (Fiscal Review 3/27/12) - Ruzicka

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1296 - Davis
- 5 HCS HB 1647 - Riddle

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison
- 14 HB 1341 - Dugger
- 15 HCS#2 HB 1524 - Phillips
- 16 HB 1484 - McCaherty
- 17 HB 1880 - Pollock
- 18 HB 1048, E.C. - Schneider
- 19 HB 1062 - Dieckhaus
- 20 HB 1063 - Conway (27)
- 21 HB 1170 - Franz
- 22 HCS HB 1171 - Franz
- 23 HB 1221 - Black
- 24 HB 1261 - Swearingen
- 25 HB 1264 - Fallert
- 26 HB 1267 - Denison
- 27 HB 1315 - McCaherty
- 28 HCS HB 1325 - Cox

- 29 HB 1345 - Cauthorn
- 30 HCS HB 1363 - Schieffer
- 31 HCS HB 1407 - Walton Gray
- 32 HB 1408 - Walton Gray
- 33 HB 1424 - Marshall
- 34 HB 1460 - Jones (117)
- 35 HCS#2 HB 1462 - Cauthorn
- 36 HCS HB 1477 - Brown (116)
- 37 HCS HBs 1518 & 1522 - Grisamore
- 38 HCS HB 1527 - Elmer
- 39 HB 1545 - Kirkton
- 40 HB 1560 - Diehl
- 41 HCS HB 1563 - Sater
- 42 HB 1615 - Oxford
- 43 HCS HB 1623 - Ellinger
- 44 HB 1630 - Franz
- 45 HB 1636 - Fuhr
- 46 HB 1651 - McGeoghegan
- 47 HB 1652 - McGeoghegan
- 48 HB 1662 - Weter
- 49 HB 1665 - Jones (63)
- 50 HB 1680 - Davis
- 51 HB 1687 - Schieffer
- 52 HB 1692 - Entlicher
- 53 HB 1737 - Gatschenberger
- 54 HCS HB 1738, E.C. - Grisamore
- 55 HB 1744 - Kelley (126)
- 56 HB 1782 - Fitzwater
- 57 HB 1804 - Molendorp
- 58 HB 1807 - Marshall
- 59 HB 1811 - Carter
- 60 HB 1820 - Asbury
- 61 HCS HB 1827 - Richardson
- 62 HCS HB 1841 - Jones (117)
- 63 HB 1864 - Johnson
- 64 HB 1868 - Cauthorn
- 65 HCS HB 1875 - Nance
- 66 HB 1878 - Riddle

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Kelley (126)
- 2 HCS HCR 30 - Hampton
- 3 HCR 25 - Allen

SENATE BILLS FOR THIRD READING

SB 450, E.C. - Schneider

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-SIXTH DAY, WEDNESDAY, MARCH 28, 2012

The House met pursuant to adjournment.

Representative Silvey in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the meek: for they shall inherit the earth. (Matthew 5:5)

O God, in these anxious moments and uncertain hours, we come to You with needs and longings only You can help us meet. As we live through these lengthy legislative days, grant to us beliefs big enough, hearts honest enough and spirits strong enough to make us more than a match for the mood of this modern time.

By Your spirit help us to rise above all that is narrow, petty and selfish, and with increased devotion may we work together for the well-being of our state and for the welfare of all our citizens.

To this end guide us in our thinking, direct us in our speaking, and govern us in our living, that at the end of this day we may hear Your voice say, "Well done, good and faithful servant."

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Samantha Ellis, Emily Thurman and Addi Bussen.

The Journal of the forty-fifth day was approved as printed.

SECOND READING OF HOUSE BILLS

HB 1989 through **HB 1999** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1169, relating to spanking in school investigations, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1169** was adopted.

On motion of Representative Franz, **HCS HB 1169** was ordered perfected and printed.

HB 1046, relating to declarations of candidacy, was taken up by Representative Rowland.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 056

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Hinson	McNary	Quinn
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On motion of Representative Rowland, **HB 1046** was ordered perfected and printed.

HCS HB 1722, relating to proprietary schools, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS HB 1722** was adopted.

On motion of Representative Thomson, **HCS HB 1722** was ordered perfected and printed.

HCS HB 1498, relating to Sunday liquor sales, was taken up by Representative Hough.

On motion of Representative Hough, **HCS HB 1498** was adopted.

On motion of Representative Hough, **HCS HB 1498** was ordered perfected and printed.

On motion of Representative Riddle, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Silvey.

HOUSE RESOLUTION

Representatives Cox and Kelly (24) offered House Resolution No. 1501.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1500

House Resolution No. 1502 through House Resolution No. 1540

THIRD READING OF SENATE BILL

SB 450, relating to certain urban school districts, was taken up by Representative Schneider.

On motion of Representative Schneider, **SB 450** was truly agreed to and finally passed by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly 24	Kirkton	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent

Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Nichols	Oxford	Pace	Phillips	Pierson
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 029

Bernskoetter	Brown 50	Carlson	Carter	Curtman
Diehl	Flanigan	Guernsey	Higdon	Hinson
Hughes	Kelley 126	Korman	Long	McGhee
McManus	McNary	Nasheed	Newman	Nolte
Parkinson	Pollock	Richardson	Schad	Scharnhorst
Schatz	Schupp	Smith 150	Spreng	

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Richardson
Rizzo	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Sommer

Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Bernskoetter	Brandom	Carter	Cox	Diehl
Ellinger	Flanigan	Franklin	Hinson	Kelley 126
Long	McNary	Nasheed	Newman	Pollock
Reiboldt	Riddle	Rowland	Scharnhorst	Schatz
Schupp	Smith 150	Spreng	Swearingen	Zerr

PERFECTION OF HOUSE BILLS

HCS HB 1126, relating to transportation, was taken up by Representative Largent.

On motion of Representative Largent, **HCS HB 1126** was adopted.

On motion of Representative Largent, **HCS HB 1126** was ordered perfected and printed.

HB 1172, relating to residential care provider donations, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1172** was ordered perfected and printed.

HB 1593, relating to the ANGEL Investment Incentive Act, was taken up by Representative Jones (89).

Representative Zerr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1593, Page 1, Section A, Line 2, by inserting after all of said lines the following:

“135.680. 1. As used in this section, the following terms shall mean:

(1) "Adjusted purchase price", the product of:

(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and

(b) The following fraction:

a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and

b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;

c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were

used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;

(2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;

(3) "Credit allowance date", with respect to any qualified equity investment:

(a) The date on which such investment is initially made; and

(b) Each of the six anniversary dates of such date thereafter;

(4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;

(5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;

(6) "Qualified community development entity", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;

(7) "Qualified equity investment", any equity investment in, or long-term debt security issued by, a qualified community development entity that:

(a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;

(b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and

(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;

(8) "Qualified low-income community investment", any capital or equity investment in, or loan to, any qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of paragraph (b) of subdivision (1) of this subsection shall be ten million dollars whether issued to one or several qualified community development entities;

(9) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;

(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.

2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall

be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.

4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:

(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.

5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the allocation of tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.

6. [For fiscal years following fiscal year 2010, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year 2010, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date.

7.] Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 1** was adopted.

On motion of Representative Jones (89), **HB 1593, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1073, relating to the Missouri Grain Dealer Law, was taken up by Representative Sater.

On motion of Representative Sater, **HB 1073** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Walton Gray	Webb	Webber	Weter
White	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 034

Brown 50	Brown 116	Carter	Cierpiot	Colona
Dieckhaus	Diehl	Flanigan	Franz	Gatschenberger
Hampton	Harris	Hinson	Hughes	Kander
Korman	Leara	McCreery	McGhee	McManus
McNary	Meadows	Nance	Pollock	Richardson
Schad	Schatz	Schupp	Spreng	Torpey
Wallingford	Wells	Wieland	Wright	

Representative Silvey declared the bill passed.

HB 1096, relating to county health center payments, was taken up by Representative Wieland.

On motion of Representative Wieland, **HB 1096** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 116	Burlison	Carlson	Hinson	Hughes
Lant	Leara	McManus	McNary	Oxford
Pollock	Scharnhorst	Schatz	Schupp	Still
Swearingen				

Representative Silvey declared the bill passed.

HB 1190, relating to maintaining police records, was taken up by Representative Allen.

On motion of Representative Allen, **HB 1190** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 116	Conway 14	Diehl	Fallert	Fisher
Funderburk	Hinson	Holsman	Hughes	Jones 89
Leara	McManus	McNary	Pollock	Scharnhorst
Schatz	Schupp	Walton Gray	Wright	Mr Speaker

Representative Silvey declared the bill passed.

HB 1231, relating to preference of Missouri products, was taken up by Representative Cauthorn.

On motion of Representative Cauthorn, **HB 1231** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 116	Diehl	Fisher	Hinson	Hughes
Leara	McManus	McNary	Morgan	Parkinson
Pollock	Quinn	Schatz	Schupp	Talboy
Mr Speaker				

Representative Silvey declared the bill passed.

HB 1266, relating to the official state butterfly, was taken up by Representative Denison.

HB 1266 was laid over.

HB 1337, relating to cardiopulmonary resuscitation, was taken up by Representative Stream.

On motion of Representative Stream, **HB 1337** was read the third time and passed by the following vote:

AYES: 105

Allen	Asbury	Atkins	Aull	Barnes
Brandom	Brown 50	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Cookson	Cox
Crawford	Cross	Davis	Dieckhaus	Ellington
Elmer	Fallert	Fitzwater	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Oxford	Phillips	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Weter	White	Wieland	Wright	Zerr

NOES: 032

Anders	Bahr	Berry	Black	Brattin
Brown 85	Burlison	Conway 14	Curtman	Dugger
Entlicher	Fuhr	Guernsey	Hubbard	Keeney
Koenig	Lasater	Leach	Marshall	May
McCann Beatty	McCreery	Newman	Pace	Pierson
Schieber	Still	Swearingen	Walton Gray	Webb
Webber	Wells			

PRESENT: 000

ABSENT WITH LEAVE: 026

Bernskoetter	Brown 116	Conway 27	Day	Denison
Diehl	Ellinger	Fisher	Flanigan	Franklin
Higdon	Hinson	Hughes	Jones 89	Klippenstein
McNary	Nolte	Parkinson	Redmon	Schad
Scharnhorst	Schatz	Schupp	Spreng	Wyatt
Mr Speaker				

Representative Silvey declared the bill passed.

HCS HB 1373, relating to county budgets, was taken up by Representative Asbury.

On motion of Representative Asbury, **HCS HB 1373** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schieber	Schieffer	Schneider	Schoeller
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Bernskoetter	Casey	Day	Fisher	Flanigan
Franklin	Higdon	Hinson	Hughes	Leach
Loehner	McNary	Nolte	Pollock	Redmon
Reiboldt	Scharnhorst	Schatz	Schupp	Shumake
Thomson	Wyatt	Zerr	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1492, relating to the establishment of a municipal court in Cass County, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HB 1492** was read the third time and passed by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	Wieland	Wright	Wyatt
Zerr				

NOES: 004

Ellington	Korman	Lasater	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Day	Franklin	Grisamore	Hampton
Higdon	Hinson	Hughes	May	McNary
Nolte	Pollock	Redmon	Scharnhorst	Schatz
Schupp	White	Mr Speaker		

Representative Silvey declared the bill passed.

HB 1577, relating to students in foster care, was taken up by Representative Largent.

On motion of Representative Largent, **HB 1577** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Burlison	Carter	Curtman	Day	Diehl
Fisher	Flanigan	Hinson	Lampe	McNary
Meadows	Nolte	Redmon	Scharnhorst	Schatz
Schupp	Stream	White	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1634, relating to recycling targets for newspapers, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 1634** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	Meadows	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 002

Hughes	McNeil
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PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Denison	Franklin	Grisamore	Hinson
Hummel	McNary	Molendorp	Nasheed	Scharnhorst
Schieffer	Schupp	Stream	Swearingen	Mr Speaker

Representative Silvey declared the bill passed.

HB 1641, relating to an American Red Cross License Plate, was taken up by Representative Pollock.

On motion of Representative Pollock, **HB 1641** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Conway 14	Day	Entlicher	Franklin
Hinson	Hughes	Jones 89	McNary	Oxford
Scharnhorst	Schupp	Stream	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1668, relating to an Olympic Committee License Plate, was taken up by Representative Denison.

On motion of Representative Denison, **HB 1668** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Conway 14	Curtman	Day	Dieckhaus	Entlicher
Flanigan	Hinson	Jones 89	McNary	Sater
Scharnhorst	Schupp	Swinger	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1341, relating to the Energy Efficiency Investment Act, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1341** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Atkins	Carter	Conway 14	Curtman	Day
Dieckhaus	Flanigan	Franklin	Fuhr	Hinson
Jones 63	Marshall	McGhee	McNary	Sater
Scharnhorst	Schupp	Talboy	Mr Speaker	

Representative Silvey declared the bill passed.

HCS#2 HB 1524, relating to maintenance of private roads, was taken up by Representative Phillips.

On motion of Representative Phillips, **HCS#2 HB 1524** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Dugger
Ellinger	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Conway 14	Cookson	Day	Denison
Ellington	Elmer	Flanigan	Funderburk	Hinson
McNary	Pollock	Redmon	Scharnhorst	Schneider
Schupp	Mr Speaker			

Representative Silvey declared the bill passed.

HB 1484, relating to the Paperless Documents and Forms Act, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **HB 1484** was read the third time and passed by the following vote:

AYES: 142

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Entlicher	Fallert	Fisher
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Talboy	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 002

Spreng Swinger

PRESENT: 000

ABSENT WITH LEAVE: 019

Anders	Brown 50	Carter	Day	Ellington
Elmer	Fitzwater	Hinson	Hughes	McNary
Nolte	Quinn	Scharnhorst	Schupp	Shively
Taylor	Thomson	Zerr	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1880, relating to a centennial business recognition, was taken up by Representative Pollock.

On motion of Representative Pollock, **HB 1880** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Day	Flanigan	Hinson	Kirkton
Lasater	Leach	McNary	Rizzo	Scharnhorst
Schupp	White			

Representative Silvey declared the bill passed.

HB 1048, relating to urban school districts, was taken up by Representative Schneider.

On motion of Representative Schneider, **HB 1048** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Conway 14	Day	Diehl	Guernsey
Hinson	Lasater	McNary	Scharnhorst	Schupp
Walton Gray				

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Carter	Day	Diehl	Flanigan
Fraker	Grisamore	Guernsey	Hinson	Hughes
Jones 63	Keeney	Lair	McGhee	McNary
Schad	Scharnhorst	Schupp	Swearingen	

HB 1062, relating to gifted education programs, was taken up by Representative Dieckhaus.

On motion of Representative Dieckhaus, **HB 1062** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Day	Denison	Diehl	Hinson
Hughes	McNary	Nolte	Scharnhorst	Schupp

Representative Silvey declared the bill passed.

HB 1063, relating to the official state exercise, was taken up by Representative Conway (27).

HB 1063 was laid over.

HB 1170, relating to special property tax assessments, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1170** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Diehl	Grisamore	Hinson	Loehner
McCaherty	McNary	Nance	Nasheed	Nolte
Parkinson	Sater	Scharnhorst	Schoeller	Schupp
Weter				

Representative Silvey declared the bill passed.

HCS HB 1171, relating to juvenile court jurisdiction, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1171** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Carter	Day	Denison	Diehl	Hinson
Hughes	McNary	Molendorp	Nasheed	Nolte
Parkinson	Scharnhorst	Schoeller	Schupp	

Representative Silvey declared the bill passed.

HB 1221, relating to Chief Jerry E. Hicks Memorial Highway, was taken up by Representative Black.

On motion of Representative Black, **HB 1221** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Leara

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Carter	Day	Diehl	Franz
Hinson	Hughes	Kelly 24	May	McNary
Nasheed	Nolte	Parkinson	Scharnhorst	Schoeller
Schupp				

Representative Silvey declared the bill passed.

HB 1261, relating to a memorial bicycle bridge, was taken up by Representative Swearingen.

On motion of Representative Swearingen, **HB 1261** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Leara

PRESENT: 000

ABSENT WITH LEAVE: 016

Bernskoetter	Carter	Day	Dieckhaus	Diehl
Fuhr	Hinson	McNary	Nasheed	Nolte
Parkinson	Rowland	Scharnhorst	Schoeller	Schupp
Solon				

Representative Silvey declared the bill passed.

HB 1264, relating to motor vehicle registration, was taken up by Representative Fallert.

On motion of Representative Fallert, **HB 1264** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Pollock	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Aull	Bernskoetter	Carter	Day	Dieckhaus
Diehl	Ellinger	Guernsey	Hinson	McGhee
McNary	Nasheed	Nolte	Parkinson	Quinn
Redmon	Scharnhorst	Schoeller	Schupp	Solon

Representative Silvey declared the bill passed.

Speaker Tilley assumed the Chair.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SB 450** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1267, relating to opportunities for foster children, was taken up by Representative Denison.

On motion of Representative Denison, **HB 1267** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Bernskoetter	Brattin	Day	Dieckhaus	Diehl
Franklin	Higdon	Hinson	McNary	Nolte
Parkinson	Redmon	Richardson	Scharnhorst	Schoeller
Schupp	Smith 71	Still		

Speaker Tilley declared the bill passed.

HB 1315, relating to Coast Guard Auxiliary members, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **HB 1315** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Fuhr

PRESENT: 000

ABSENT WITH LEAVE: 019

Berry	Day	Denison	Dieckhaus	Diehl
Fisher	Franklin	Higdon	Hinson	McNary
Nasheed	Parkinson	Richardson	Schad	Scharnhorst
Schoeller	Schupp	Smith 71	Talboy	

Speaker Tilley declared the bill passed.

HCS HB 1325, relating to a conveyance in Pettis County, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 1325** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schliefer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Denison	Dieckhaus	Ellinger	Franklin
Higdon	Hinson	Hubbard	McNary	Nasheed
Richardson	Sater	Scharnhorst	Schoeller	Schupp
Smith 71	Thomson			

Speaker Tilley declared the bill passed.

HB 1345, relating to the publication of the official manual, was taken up by Representative Cauthorn.

On motion of Representative Cauthorn, **HB 1345** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cauthorn	Day	Denison	Franklin	Hinson
Hubbard	McNary	Scharnhorst	Schoeller	Schupp
Spreng				

Speaker Tilley declared the bill passed.

HCS HB 1363, relating to the exhibition of livestock at fairs, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HCS HB 1363** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 003

Curtman	Kelly 24	Koenig
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PRESENT: 000

ABSENT WITH LEAVE: 016

Carlson	Day	Denison	Flanigan	Franklin
Guernsey	Hinson	Hubbard	McNary	Neth
Reiboldt	Scharnhorst	Schoeller	Schupp	Spreng
Swearingen				

Speaker Tilley declared the bill passed.

HCS HB 1407, relating to a Sickie Cell Standing Committee, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCS HB 1407** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Webb

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 85	Cox	Day	Diehl	Flanigan
Hinson	Hughes	McNary	Morgan	Parkinson
Schad	Scharnhorst	Schatz	Schoeller	Schupp

Speaker Tilley declared the bill passed.

HB 1408, relating to Organ Donor Recognition Day, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HB 1408** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Lasater	Webb
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PRESENT: 000

ABSENT WITH LEAVE: 013

Brattin	Cox	Day	Diehl	Ellinger
Flanigan	Fraker	Hinson	McNary	Scharnhorst
Schoeller	Schupp	Stream		

Speaker Tilley declared the bill passed.

HB 1266 was again taken up by Representative Denison.

HB 1266 was laid over.

HB 1063 was again taken up by Representative Conway (27).

On motion of Representative Conway (27), **HB 1063** was read the third time and passed by the following vote:

AYES: 130

Anders	Asbury	Atkins	Aull	Bahr
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Davis	Denison	Dieckhaus	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Smith 71	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 020

Allen	Barnes	Bernskoetter	Brattin	Burlison
Cox	Cross	Curtman	Dugger	Franz
Frederick	Fuhr	Jones 89	Jones 117	Leach
Loehner	Sater	Schad	Silvey	Smith 150

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 012

Day	Diehl	Elmer	Flanigan	Hinson
Hughes	McNary	Nolte	Scharnhorst	Schoeller
Schupp	Wells			

Speaker Tilley declared the bill passed.

HB 1460, relating to the Statewide Court Automation Fund, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1460** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Diehl	Elmer	Flanigan	Hinson
McNary	Nasheed	Nolte	Pollock	Scharnhorst
Schoeller	Schupp			

Speaker Tilley declared the bill passed.

HB 1424, relating to the sale of surplus Highway Patrol property, was taken up by Representative Marshall.

On motion of Representative Marshall, **HB 1424** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Jones 89

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Diehl	Elmer	Flanigan	Hinson
Hughes	McNary	Nasheed	Nolte	Scharnhorst
Schoeller	Schupp			

Speaker Tilley declared the bill passed.

HCS#2 HB 1462, relating to the Qualified Biodiesel Producer Fund, was taken up by Representative Cauthorn.

On motion of Representative Cauthorn, **HCS#2 HB 1462** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Day	Diehl	Elmer	Flanigan
Hinson	Hughes	McNary	Meadows	Nolte
Sater	Scharnhorst	Schieffer	Schoeller	Schupp

Speaker Tilley declared the bill passed.

HCS HB 1477, relating to the Missouri Grain Dealer Law, was taken up by Representative Brown (116).

On motion of Representative Brown (116), **HCS HB 1477** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Day	Denison	Diehl	Elmer	Flanigan
Hinson	Hughes	McNary	Meadows	Pollock
Scharnhorst	Schoeller	Schupp		

Speaker Tilley declared the bill passed.

HCS HBs 1518 & 1522, relating to the licensure of behavior analysts, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HBs 1518 & 1522** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 009

Bahr	Burlison	Cox	Curtman	Jones 89
Koenig	Leach	Marshall	Smith 150	

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Diehl	Elmer	Flanigan	Hinson
Hughes	McNary	Pollock	Scharnhorst	Schieffer
Schoeller	Schupp			

Speaker Tilley declared the bill passed.

HB 1820, relating to a conveyance in Macon County, was taken up by Representative Asbury.

On motion of Representative Asbury, **HB 1820** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Diehl	Elmer	Flanigan	Hinson
Hughes	Lair	May	McNary	Pollock
Riddle	Scharnhorst	Schoeller	Schupp	Talboy
Wallingford				

Speaker Tilley declared the bill passed.

HB 1545, relating to the designation of “PKS Day,” was taken up by Representative Kirkton.

On motion of Representative Kirkton, **HB 1545** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Brattin

PRESENT: 001

McCaherty

ABSENT WITH LEAVE: 016

Asbury	Conway 14	Day	Dieckhaus	Diehl
Elmer	Fisher	Fitzwater	Flanigan	Hinson
Hughes	McNary	Riddle	Schoeller	Schupp
Thomson				

Speaker Tilley declared the bill passed.

HCS HB 1563, relating to legend drugs, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 1563** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Brown 50	Day	Dieckhaus	Diehl
Elmer	Fisher	Flanigan	Hinson	Hughes
McNary	Nolte	Pollock	Schoeller	Schupp
Wright				

Speaker Tilley declared the bill passed.

HB 1615, relating to conduct at public meetings, was taken up by Representative Oxford.

On motion of Representative Oxford, **HB 1615** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Hubbard

PRESENT: 000

ABSENT WITH LEAVE: 013

Asbury	Day	Dieckhaus	Diehl	Elmer
Flanigan	Hinson	Hughes	Keeney	McNary
Riddle	Schoeller	Schupp		

Speaker Tilley declared the bill passed.

HCS HB 1623, relating to economic development tax bonds, was taken up by Representative Ellinger.

On motion of Representative Ellinger, **HCS HB 1623** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Asbury	Burlison	Day	Dieckhaus	Diehl
Elmer	Flanigan	Hinson	Hughes	McNary
Nolte	Schoeller	Shupp	Swearingen	

Speaker Tilley declared the bill passed.

HB 1630, relating to the Missouri Highways and Transportation Commission, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1630** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Colona	Funderburk
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PRESENT: 000

ABSENT WITH LEAVE: 014

Asbury	Day	Dieckhaus	Diehl	Elmer
Flanigan	Hinson	Lampe	Leara	McNary
Newman	Schoeller	Schupp	Swearingen	

Speaker Tilley declared the bill passed.

HB 1636, relating to municipal ordinance violations, was taken up by Representative Fuhr.

On motion of Representative Fuhr, **HB 1636** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Asbury	Day	Dieckhaus	Diehl	Elmer
Flanigan	Hinson	Leara	McNary	Schoeller
Schupp	Swearingen	White		

Speaker Tilley declared the bill passed.

HB 1651, relating to “Spinal Cord Injury Month,” was taken up by Representative McGeoghegan.

On motion of Representative McGeoghegan, **HB 1651** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Curtman	Day	Dieckhaus	Diehl
Elmer	Flanigan	Hinson	Hughes	Jones 89
Leara	McNary	Sater	Schoeller	Schupp
Swearingen				

Speaker Tilley declared the bill passed.

HB 1652, relating to "Fibromyalgia Month," was taken up by Representative McGeoghegan.

HB 1652 was laid over.

HB 1266 was again taken up by Representative Denison.

HB 1266 was laid over.

HB 1652 was again taken up by Representative McGeoghegan.

On motion of Representative McGeoghegan, **HB 1652** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dugger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hodges	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Cierpiot	Curtman	Day	Dieckhaus
Diehl	Ellinger	Elmer	Flanigan	Frederick
Fuhr	Guernsey	Hinson	Holsman	Jones 117
McNary	Newman	Parkinson	Schoeller	Schupp
Swearingen				

Speaker Tilley declared the bill passed.

Representative Smith (150) assumed the Chair.

On motion of Representative Jones (89), the House recessed until 7:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Smith (150).

THIRD READING OF HOUSE BILLS - CONSENT

HB 1662, relating to a drinking water supply lake authority, was taken up by Representative Weter.

On motion of Representative Weter, **HB 1662** was read the third time and passed by the following vote:

AYES: 126

Anders	Atkins	Bahr	Barnes	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Cox	Crawford	Cross	Davis	Dieckhaus
Diehl	Dugger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 003

McCreery	Smith 71	Swearingen
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PRESENT: 000

ABSENT WITH LEAVE: 034

Allen	Asbury	Aull	Bernskoetter	Brown 50
Burlison	Carter	Colona	Conway 27	Cookson
Curtman	Day	Denison	Ellinger	Elmer
Flanigan	Franz	Funderburk	Gatschenberger	Gosen
Hinson	Hughes	McManus	McNary	Nasheed
Nolte	Sater	Scharnhorst	Schneider	Schoeller
Schupp	Still	Wells	Zerr	

Representative Smith (150) declared the bill passed.

Representative Silvey requested a verification of the roll call on the motion to third read and finally pass **HB 1662**.

HB 1665, relating to “Lupus Awareness Month,” was taken up by Representative Jones (63).

On motion of Representative Jones (63), **HB 1665** was read the third time and passed by the following vote:

AYES: 145

Anders	Atkins	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Asbury	Aull	Brown 50	Burlison
Carter	Colona	Conway 14	Cookson	Day
Flanigan	Funderburk	Hinson	McNary	Nolte
Pollock	Schoeller	Schupp		

Representative Smith (150) declared the bill passed.

HB 1680, relating to the Show-Me Heroes Program, was taken up by Representative Davis.

On motion of Representative Davis, **HB 1680** was read the third time and passed by the following vote:

AYES: 147

Anders	Atkins	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Asbury	Aull	Brown 50	Burlison
Carter	Colona	Day	Flanigan	Funderburk
Hinson	McNary	Schoeller	Schupp	Zerr
Mr Speaker				

Representative Smith (150) declared the bill passed.

HB 1687, relating to the Patrick Schimmel Memorial Highway, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HB 1687** was read the third time and passed by the following vote:

AYES: 145

Anders	Atkins	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Asbury	Aull	Brown 50	Burlison
Carter	Colona	Day	Flanigan	Fuhr
Funderburk	Hinson	McNary	Scharnhorst	Schoeller
Schupp	Zerr	Mr Speaker		

Representative Smith (150) declared the bill passed.

HB 1692, relating to the oath of an election judge, was taken up by Representative Entlicher.

On motion of Representative Entlicher, **HB 1692** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Burlison	Carter
Colona	Cookson	Day	Funderburk	Guernsey
Hinson	Jones 117	Schoeller	Schupp	Mr Speaker

Representative Smith (150) declared the bill passed.

HB 1737, relating to the Darrell B. Roegner Memorial Highway, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 1737** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Barnes	Brown 50	Burlison
Carter	Colona	Day	Funderburk	Hinson
McGhee	McNary	Schoeller	Schupp	Mr Speaker

Representative Smith (150) declared the bill passed.

HCS HB 1738, relating to accessible parking, was taken up by Representative Grisamore.

HCS HB 1738 was laid over.

HB 1744, relating to pancreatic cancer awareness, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HB 1744** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Aull	Brown 50	Burlison	Carter
Colona	Day	Funderburk	Hinson	McNary
Schoeller	Schupp			

Representative Smith (150) declared the bill passed.

HB 1782, relating to the Norman Inman Memorial Highway, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HB 1782** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Asbury	Aull	Brown 50	Burlison	Carter
Colona	Day	Funderburk	Gatschenberger	Hinson
McGhee	McNary	Schoeller	Schupp	

Representative Smith (150) declared the bill passed.

HB 1804, relating to a convention tax in Kansas City, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HB 1804** was read the third time and passed by the following vote:

AYES: 125

Allen	Anders	Atkins	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Lichtenegger
Long	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wright	Zerr	Mr Speaker

NOES: 022

Bahr	Brattin	Curtman	Franklin	Fuhr
Houghton	Hughes	Jones 63	Koenig	Lasater
Leach	Loehner	Marshall	McCaherty	Parkinson
Pollock	Quinn	Schad	Schieber	Wells
Wieland	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Aull	Brown 50	Burlison	Carter
Colona	Day	Diehl	Funderburk	Gatschenberger
Hinson	Leara	McNary	Nolte	Schoeller
Schupp				

Representative Smith (150) declared the bill passed.

HCS HB 1827, relating to a prior authorization committee, was taken up by Representative Richardson.

On motion of Representative Richardson, **HCS HB 1827** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Atkins	Bahr	Barnes
Berry	Black	Brandom	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Franz
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 007

Bernskoetter	Brattin	Franklin	Koenig	Marshall
Sater	Schieber			

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Carter	Colona
Day	Diehl	Fraker	Gatschenberger	Hinson
Keeney	Leara	McNary	Schoeller	Schupp

Representative Smith (150) declared the bill passed.

HB 1807, relating to the Fred F. Guthrie, Jr. Memorial Highway, was taken up by Representative Marshall.

On motion of Representative Marshall, **HB 1807** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Lochner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Carter	Colona
Day	Dieckhaus	Gatschenberger	Hinson	Leara
McNary	Montecillo	Schoeller	Schupp	Torpey

Representative Smith (150) declared the bill passed.

HB 1266 was again taken up by Representative Denison.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Denison	Dugger
Ellinger	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Black	Carlson	Casey
Conway 27	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 002

Ellington	Spreng
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ABSENT WITH LEAVE: 018

Asbury	Aull	Brown 50	Carter	Colona
Curtman	Day	Dieckhaus	Diehl	Flanigan
Gatschenberger	Hinson	Leara	Loehner	McNary
Nolte	Schoeller	Schupp		

On motion of Representative Denison, **HB 1266** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Atkins	Barnes	Berry
Black	Brandom	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Davis
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 117	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 015

Bahr	Bernskoetter	Brattin	Cox	Curtman
Jones 89	Kander	Koenig	Neth	Pierson
Sater	Sifton	Silvey	Smith 71	Swearingen

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 020

Asbury	Aull	Brown 50	Carter	Colona
Day	Dieckhaus	Diehl	Flanigan	Gatschenberger
Hinson	Hughes	Keeney	Leara	Loehner
McNary	Nolte	Schad	Schoeller	Schupp

Representative Smith (150) declared the bill passed.

HCS HB 1841, relating to pyramid sales schemes, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HB 1841** was read the third time and passed by the following vote:

AYES: 105

Allen	Bahr	Bernskoetter	Berry	Black
Brandom	Brown 116	Burlison	Casey	Cauthorn
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	McGhee	McManus	Meadows
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Silvey	Smith 71	Smith 150	Solon
Sommer	Stream	Swinger	Talboy	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 039

Anders	Atkins	Brattin	Brown 85	Carlson
Curtman	Dugger	Ellinger	Ellington	Franklin
Fuhr	Higdon	Hubbard	Kirkton	Klippenstein
Lasater	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Pollock	Sifton	Spreng	Still
Swearingen	Walton Gray	Webb	Wright	

PRESENT: 002

Kelly 24	Shumake
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ABSENT WITH LEAVE: 017

Asbury	Aull	Barnes	Brown 50	Carter
Cierpiot	Colona	Day	Gatschenberger	Hinson
Long	McNary	Riddle	Schad	Schoeller
Schupp	Taylor			

Representative Smith (150) declared the bill passed.

HB 1864, relating to the Pony Express special license plate, was taken up by Representative Johnson.

On motion of Representative Johnson, **HB 1864** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Atkins	Bahr	Barnes
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Carlson	Casey	Cauthorn
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 002

Bernskoetter Sater

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Aull	Brown 50	Carter	Cierpiot
Colona	Curtman	Day	Gatschenberger	Guernsey
Hinson	McNary	Riddle	Schoeller	Schupp
Mr Speaker				

Representative Smith (150) declared the bill passed.

HB 1868, relating to the Christopher S. "Kit" Bond Highway, was taken up by Representative Cauthorn.

On motion of Representative Cauthorn, **HB 1868** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNeil	Meadows	Molendorp	Nance	Nasheed
Neth	Oxford	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 013

Ellington	May	McCreery	McGeoghegan	Montecillo
Morgan	Newman	Nichols	Pace	Smith 71
Spreng	Still	Taylor		

PRESENT: 000

ABSENT WITH LEAVE: 019

Asbury	Aull	Brown 50	Carter	Colona
Day	Gatschenberger	Hinson	Hughes	Loehner
McNary	Nolte	Sater	Schad	Scharnhorst
Schoeller	Schupp	Sifton	Mr Speaker	

Representative Smith (150) declared the bill passed.

HCS HB 1875, relating to salvage titles on certain vehicles, was taken up by Representative Nance.

On motion of Representative Nance, **HCS HB 1875** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 004

Denison	Ellington	May	Smith 71
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PRESENT: 001

Johnson

ABSENT WITH LEAVE: 017

Asbury	Aull	Brown 50	Carter	Cierpiot
Colona	Day	Flanigan	Gatschenberger	Guernsey
Hinson	McNary	Parkinson	Schad	Schoeller
Schupp	Mr Speaker			

Representative Smith (150) declared the bill passed.

HB 1878, relating to the AMVETS Memorial Highway, was taken up by Representative Riddle.

On motion of Representative Riddle, **HB 1878** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Aull	Brown 50	Carter	Cierpiot
Colona	Day	Flanigan	Gatschenberger	Guernsey
Hinson	Keeney	McNary	Rizzo	Sater
Schoeller	Schupp			

Representative Smith (150) declared the bill passed.

HCS HB 1738 was again taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 1738** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Davis	Dieckhaus	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Curtman Koenig

PRESENT: 000

ABSENT WITH LEAVE: 018

Asbury	Aull	Brown 50	Carter	Colona
Cross	Day	Denison	Ellinger	Fisher
Gatschenberger	Hinson	Keeney	McNary	Schoeller
Schupp	Swinger	Thomson		

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Burlison	Curtman	Koenig	Marshall	McNeil
Taylor				

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Aull	Brown 50	Carter	Colona
Day	Denison	Gatschenberger	Hinson	Hough
Hughes	Keeney	May	McNary	Schoeller
Schupp				

HB 1560, relating to the St. Louis County Circuit Clerk, was taken up by Representative Diehl.

On motion of Representative Diehl, **HB 1560** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

Burlison	Hughes	May
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PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Carter	Colona
Curtman	Day	Gatschenberger	Grisamore	Hinson
Keeney	McCann Beatty	McNary	Schoeller	Schupp

Representative Smith (150) declared the bill passed.

HCS HB 1527, relating to property exempt from attachment, was taken up by Representative Elmer.

On motion of Representative Elmer, **HCS HB 1527** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Carter	Colona
Day	Gatschenberger	Hinson	Jones 117	McCann Beatty
McNary	Scharnhorst	Schieffer	Schoeller	Schupp

Representative Smith (150) declared the bill passed.

HB 1165, relating to qualified spousal trusts, was taken up by Representative Diehl.

On motion of Representative Diehl, **HB 1165** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 014

Asbury	Aull	Brown 50	Carter	Colona
Day	Gatschenberger	Hinson	McNary	Schieffer
Schoeller	Schupp	Webb	Mr Speaker	

Representative Smith (150) declared the bill passed.

HB 1811, relating to anatomical gifts, was taken up by Representative Jones (63).

On motion of Representative Jones (63), **HB 1811** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Aull	Brown 50	Carter	Colona
Day	Gatschenberger	Hinson	McNary	Schieffer
Schoeller	Schupp			

Representative Smith (150) declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1094 - Fiscal Review
HCS HB 1126 - Fiscal Review
HCS HBs 1278 & 1152 - Fiscal Review
HCS#2 HB 1344 - Fiscal Review
HB 1593 - Fiscal Review
HB 1909 - Fiscal Review
HB 1964 - Special Standing Committee on Governmental Affairs
HB 1969 - Special Standing Committee on Governmental Affairs
HB 1971 - Special Standing Committee on Governmental Affairs
HB 1999 - Economic Development

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1476**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1723** and **HB 1130**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1639**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1397**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 89, introduced by Representative Schoeller, relating to elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2000, introduced by Representatives Webb, Cookson, Burlison and Funderburk, relating to licensure of hearing instrument specialists.

HB 2026, introduced by Representatives Leach and Dugger, relating to voter registration deadlines.

HB 2027, introduced by Representative Leach, relating to school board elections.

HB 2028, introduced by Representatives Leach and Montecillo, relating to research projects funded by the spinal cord injury fund.

HB 2029, introduced by Representatives Curtman, Koenig and Bahr, relating to motor vehicle sales by dealers.

HB 2030, introduced by Representatives Curtman, Brattin, Davis, White and Bahr, relating to the open carry of firearms.

HB 2031, introduced by Representatives Flanigan and Allen, relating to presidential primaries.

HB 2032, introduced by Representative Neth, relating to transient guest taxes in certain cities.

HB 2033, introduced by Representatives Jones (117), Webber, Kelly (24), Elmer, Korman and Richardson, relating to enhanced enterprise zones.

HB 2034, introduced by Representatives Jones (117), Webber and Kelly (24), relating to blighted areas.

HB 2035, introduced by Representative Swearingen, relating to protective headgear for operation of motorcycles or motortricycles.

HB 2036, introduced by Representatives Barnes, Burlison, Riddle, Funderburk, Lichtenegger, Leach, Wells, Scharnhorst, Pollock, Denison, Schad, Bernskoetter, Schieber, Hough, Hoskins, Smith (150), Cookson, Nance, Sommer, Crawford, Brattin, Davis, White, Schoeller, Bahr, Parkinson, Korman, Brown (116), Leara, Richardson, Day, Dieckhaus, Jones (89), Fraker, Houghton, Tilley, Franklin, Jones (117) and Lampe, relating to voluntary associations of schools.

HB 2037, introduced by Representative Kratky, relating to the transitional school district.

HB 2038, introduced by Representatives Wallingford and Colona, relating to Jonathan's Law.

HB 2039, introduced by Representatives Torpey, Dieckhaus, Jones (63), Cierpiot, Scharnhorst, Tilley, Stream, Lair, Jones (89) and Neth, relating to a reading-intensive charter school pilot program.

HB 2040, introduced by Representative Johnson, relating to protective headgear for operation of motorcycles and motortricycles.

HB 2041, introduced by Representative Johnson, relating to broadband enhancement.

HB 2042, introduced by Representative Stream, relating to grandparent visitation.

HB 2043, introduced by Representatives Neth, Talboy, Swearingen, Torpey and Dieckhaus, relating to school accreditation.

HB 2044, introduced by Representatives Holsman, Rizzo, McManus, Torpey, Swearingen, McCann Beatty, Morgan, Anders, Zerr, Berry, Silvey, Talboy, Cierpiot, Solon, McDonald, Ellington, Lauer and Hughes, relating to the incentives regionalization act.

HB 2045, introduced by Representatives Shively, Quinn and Loehner, relating to regulation of cervids.

COMMITTEE APPOINTMENT

March 28, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Bill Reiboldt to the Committee on Corrections.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

WITHDRAWAL OF HOUSE BILL

FROM: Melissa Leach
SENT: Wednesday, March 28, 2012, 8:45 PM
TO: Adam Crumbliss; Joan Branson
SUBJECT: Withdrawal of **House Bill No. 2026**

Adam and Joan,

I request the withdrawal of **House Bill No. 2026** relating to voter registration deadline as it pertains to caucus events.

Thanks,

Representative Melissa Leach
District 137

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 29, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, March 29, 2012, 8:30 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Information session on proposed policies

BUDGET

Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58

Executive session will be held: HB 2019, HJR 57, HJR 58

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 29, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HJR 42, HJR 60

FISCAL REVIEW

Thursday, March 29, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

INSURANCE POLICY

Monday, April 2, 2012, 6:00 PM or Upon Evening Adjournment House Hearing Room 1.

Public hearing will be held: HB 1942, HB 1936

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, March 29, 2012, Upon Morning Adjournment House Hearing Room 6.

Executive session will be held: HCR 7, HCR 31, HCR 36, HCR 42, HJR 49, HJR 71, HB 1066, HB 1109, HCS HB 1110, HCS HB 1256, HCS HB 1211, HB 1273, HCS HB 1316, HCS HB 1364, HCS HB 1383, HB 1425, HCS HB 1444, HCS HB 1458, HB 1534, HB 1540, HB 1569, HCS HBs 1574 & 1097, HCS HB 1661, HB 1718, HCS HB 1789, HCS HB 1826, HCS HB 1860, HCS HB 1869, HCS HB 1890, HCS SB 568

Executive session may be held on any or all bills referred to this committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 29, 2012, 9:00 AM House Hearing Room 7.

Executive session will be held: SS SCS SB 719

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 29, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1934, HB 1654, HJR 67

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SEVENTH DAY, THURSDAY, MARCH 29, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 89

HOUSE BILLS FOR SECOND READING

- 1 HB 2000
- 2 HB 2027 through HB 2045

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1361 - Pollock
- 3 HCS HB 1272 - Kelley (126)
- 4 HCS HB 1475 - Cross
- 5 HCS HB 1275 - Koenig
- 6 HCS HB 1608 - White
- 7 HCS HB 1134 - Scharnhorst
- 8 HB 1403 - Schatz
- 9 HCS HB 1060 - Dugger
- 10 HCS HB 1549 - Richardson
- 11 HCS HB 1717 - Kelley (126)
- 12 HCS HB 1111 - Gosen
- 13 HCS HB 1150 - Smith (150)
- 14 HCS HB 1515 - Schad
- 15 HCS HB 1640 - Denison
- 16 HB 1691 - Dugger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS HJR 61 - Loehner
- 2 HJR 52, (Fiscal Review 3/27/12) - Ruzicka

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1296 - Davis
- 5 HCS HB 1647 - Riddle
- 6 HB 1909, (Fiscal Review 3/28/12) - Hoskins
- 7 HB 1512 - Curtman
- 8 HCS HB 1541 - Jones (89)
- 9 HCS HB 1395 - Korman
- 10 HCS HB 1700 - Schad
- 11 HCS HB 1094, (Fiscal Review 3/28/12) - Wieland
- 12 HCS HB 1402 - Burlison
- 13 HCS#2 HB 1344, (Fiscal Review 3/28/12) - Nasheed
- 14 HCS HBs 1278 & 1152, (Fiscal Review 3/28/12), E.C. - Long
- 15 HCS HB 1169 - Franz
- 16 HB 1046 - Rowland
- 17 HCS HB 1722 - Thomson
- 18 HCS HB 1498 - Hough
- 19 HCS HB 1126, (Fiscal Review 3/28/12) - Largent
- 20 HB 1172 - Franz
- 21 HB 1593, (Fiscal Review 3/28/12) - Jones (89)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Kelley (126)
- 2 HCS HCR 30 - Hampton
- 3 HCR 25 - Allen

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-SEVENTH DAY, THURSDAY, MARCH 29, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are they who hunger and thirst after righteousness, for they shall be filled. (Matthew 5:6)

Eternal God, amid the maddening maze of daily duties and the fever and fret of trying times, we would dwell for a moment in the secret quiet place of the Most High and abide under the shadow of the Almighty.

In this quiet moment of prayer we make ourselves receptive to You. Help us to hear Your voice and to be obedient to the call of Your spirit. May our hunger for truth and our thirst for life find their fulfillment in Your presence. As we live through this long legislative day may we keep our hearts open to You, Who is the source of strength for the faithful soul.

To You we bring the members of this body and for them we pray. Give them clarity of insight to see what is right, confidence to do what is right, and the courage to keep on the right path now and always.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emery Davis, Morgan Green, Katie Mayes, Abby Gaunt, Evan Gorrell, Victoria Warden and Rylee Smith.

The Journal of the forty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1541 through House Resolution No. 1551

HOUSE CONCURRENT RESOLUTIONS

Representative Cookson, et al., offered House Concurrent Resolution No. 52.
Representative Brown (116) offered House Concurrent Resolution No. 54.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 89 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2000 and **HB 2027** through **HB 2045** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1094**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1126**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 1278 & 1152**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 HB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1909**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HB 1296, relating to child custody for military personnel, was taken up by Representative Davis.

On motion of Representative Davis, **HB 1296** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Kratky	Lair

Lampe	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Bernskoetter	Brandom	Entlicher	Franklin
Funderburk	Guernsey	Hodges	Jones 63	Korman
Largent	Lasater	May	Morgan	Pierson
Schoeller	Schupp	Webber		

Speaker Tilley declared the bill passed.

HCS HB 1094, relating to electronic payment to state entities, was taken up by Representative Wieland.

On motion of Representative Wieland, **HCS HB 1094** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan

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Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Franklin	Funderburk	Hubbard	Jones 63
Korman	Lasater	Loehner	McNary	Pierson
Redmon	Schoeller	Schupp	Smith 150	Wright

Speaker Tilley declared the bill passed.

HCS HB 1647, relating to the collection of hazardous waste fees, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS HB 1647** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pollock	Quinn

Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Franklin	Frederick	Funderburk	Hughes
Jones 63	Lasater	Pierson	Richardson	Scharnhorst
Schoeller	Schupp	Wright		

Speaker Tilley declared the bill passed.

HCS HB 1395, relating to the Department of Natural Resources, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1395** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Asbury

PRESENT: 001

Kratky

ABSENT WITH LEAVE: 012

Barnes	Carlson	Elmer	Franklin	Funderburk
Jones 63	Lasater	Pierson	Scharnhorst	Schoeller
Schupp	Silvey			

Speaker Tilley declared the bill passed.

HB 1512, relating to the Civil Liberties Defense Act, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 1512** was read the third time and passed by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 042

Anders	Atkins	Brown 50	Carlson	Carter
Ellinger	Ellington	Hodges	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton

Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Rizzo	Schieffer	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Brown 116	Colona	Jones 63	Jones 117
Lasater	Nolte	Pierson	Scharnhorst	Schoeller
Schupp				

Speaker Tilley declared the bill passed.

Representative Brattin assumed the Chair.

HCS HB 1541, relating to the conscience rights of medical workers, was taken up by Representative Jones (89).

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Asbury	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander

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Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Barnes	Day	Flanigan	Franklin
Funderburk	Jones 63	Lasater	Scharnhorst	Schoeller
Schupp				

On motion of Representative Jones (89), **HCS HB 1541** was read the third time and passed by the following vote:

AYES: 113

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 041

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Day	Flanigan	Funderburk	Jones 63
Lasater	Scharnhorst	Schoeller	Schupp	

Representative Brattin declared the bill passed.

Representative Smith (150) assumed the Chair.

HCS HBs 1278 & 1152, relating to tax credits, was taken up by Representative Long.

On motion of Representative Long, **HCS HBs 1278 & 1152** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

May	Morgan	Newman
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PRESENT: 002

Ellington	Smith 71
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ABSENT WITH LEAVE: 023

Barnes	Brown 116	Day	Diehl	Dugger
Flanigan	Fuhr	Funderburk	Jones 63	Kander
Klippenstein	Largent	Lasater	Leara	McGhee
Molendorp	Sater	Scharnhorst	Schoeller	Schupp
Spreng	Wallingford	Weter		

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

May	McCreery	McNeil	Morgan	Newman
Smith 71				

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 116	Day	Flanigan	Fuhr
Funderburk	Haefner	Jones 63	Kander	Klippenstein
Lasater	Leara	McGhee	Sater	Scharnhorst
Schneider	Schoeller	Schupp	Spreng	Swearingen
Weter				

HCS#2 HB 1344, relating to closure of certain criminal records, was taken up by Representative Nasheed.

Representative Nasheed moved that **HCS#2 HB 1344** be recommitted to the committee of origin.

Which motion was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brattin
Brown 50	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 002

Carter Webber

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brandom	Brown 85	Brown 116	Conway 14
Day	Dugger	Flanigan	Franklin	Funderburk
Jones 63	Kander	Lasater	Leara	McCaherty
McGhee	Parkinson	Scharnhorst	Schieffer	Schoeller
Schupp	Weter			

HCS HB 1402, relating to road use, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HB 1402** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 116	Conway 14	Day	Dieckhaus
Flanigan	Franklin	Funderburk	Jones 63	Kander
Lasater	Leara	Loehner	Newman	Nolte
Scharnhorst	Schatz	Schoeller	Schupp	Swearingen
Weter				

Representative Smith (150) declared the bill passed.

HCS HB 1700, relating to sexual offender registration, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 1700** was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Ellinger
Ellington	Elmer	Fallert	Fisher	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Loehner	Long	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schneider	Shively	Shumake
Silvey	Smith 150	Sommer	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 020

Dugger	Entlicher	Fitzwater	Franklin	Haefner
Hampton	Hodges	Largent	Leach	McCaherty
Montecillo	Pollock	Schieber	Schieffer	Sifton
Smith 71	Solon	Swinger	Walton Gray	Wells

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Brown 116	Day	Denison	Dieckhaus
Flanigan	Funderburk	Hubbard	Jones 63	Kander
Lasater	Leara	Lichtenegger	Nolte	Scharnhorst
Schoeller	Schupp			

Representative Smith (150) declared the bill passed.

HB 1909, relating to an aviation jet fuel tax exemption, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HB 1909** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 002

Atkins	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes	Brown 116	Day	Denison	Dieckhaus
Flanigan	Funderburk	Guernsey	Hubbard	Jones 63
Kander	Lasater	Leara	McCann Beatty	McNary
Nolte	Scharnhorst	Schoeller	Schupp	Torpey

Representative Smith (150) declared the bill passed.

HCS HB 1169, relating to spanking in school investigations, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1169** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hughes	Hummel	Johnson	Jones 89	Jones 117
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Marshall

PRESENT: 001

May

ABSENT WITH LEAVE: 022

Barnes	Brown 116	Conway 14	Day	Denison
Dieckhaus	Flanigan	Funderburk	Hubbard	Jones 63
Kander	Keeney	Lasater	Leara	Nasheed
Nolte	Redmon	Scharnhorst	Schatz	Schoeller
Schupp	Torpey			

Representative Smith (150) declared the bill passed.

Representative Hoskins assumed the Chair.

HB 1046, relating to declarations of candidacy, was taken up by Representative Rowland.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Denison	Dugger
Elmer	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes	Brown 50	Cross	Day	Dieckhaus
Diehl	Entlicher	Funderburk	Grisamore	Hubbard
Jones 63	Kander	Lasater	Leara	Nolte
Redmon	Scharnhorst	Schoeller	Schupp	Mr Speaker

On motion of Representative Rowland, **HB 1046** was read the third time and passed by the following vote:

AYES: 092

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Schatz	Schieber	Schneider
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brown 50	Cross	Day	Dieckhaus
Funderburk	Grisamore	Hough	Hubbard	Jones 63
Kander	Lasater	Leara	Nolte	Quinn
Redmon	Sater	Scharnhorst	Schieffer	Schoeller
Schupp	Swinger			

Representative Hoskins declared the bill passed.

HCS HB 1722, relating to proprietary schools, was taken up by Representative Thompson.

On motion of Representative Thompson, **HCS HB 1722** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hughes	Hummel	Johnson	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Sprenge	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 010

Bahr	Burlison	Conway 14	Curtman	Guernsey
Jones 89	Koenig	Marshall	Parkinson	Torpey

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brown 50	Cross	Day	Dieckhaus
Fuhr	Funderburk	Grisamore	Hubbard	Jones 63
Kander	Lasater	Leara	McGhee	Meadows
Nolte	Redmon	Sater	Scharnhorst	Schoeller
Schupp	Mr Speaker			

Representative Hoskins declared the bill passed.

HCS HB 1126, relating to transportation, was taken up by Representative Largent.

On motion of Representative Largent, **HCS HB 1126** was read the third time and passed by the following vote:

AYES: 135

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Flanigan
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Frederick Hughes

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 025

Allen	Barnes	Brown 50	Cross	Day
Dieckhaus	Fitzwater	Funderburk	Grisamore	Hubbard
Jones 63	Kander	Lasater	Leara	McCaherty
Meadows	Nolte	Redmon	Sater	Schad
Scharnhorst	Schieffer	Schoeller	Schupp	Talboy

Representative Hoskins declared the bill passed.

HB 1172, relating to residential care provider donations, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1172** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brown 50	Brown 85	Cross	Day
Dieckhaus	Elmer	Funderburk	Grisamore	Hubbard
Jones 63	Kander	Lasater	Leara	Nolte
Redmon	Schad	Scharnhorst	Schoeller	Schupp
Talboy	Weter			

Representative Hoskins declared the bill passed.

HCS HB 1498, relating to Sunday liquor sales, was taken up by Representative Hough.

On motion of Representative Hough, **HCS HB 1498** was read the third time and passed by the following vote:

AYES: 097

Allen	Atkins	Aull	Bernskoetter	Berry
Brattin	Brown 85	Brown 116	Burlison	Carter
Cierpiot	Colona	Conway 14	Cox	Curtman
Denison	Diehl	Ellinger	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Gosen	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 89	Jones 117	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lauer	Lichtenegger	Loehner
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNary	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Phillips	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schatz	Schieber	Schneider
Shively	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 044

Anders	Asbury	Bahr	Black	Brandom
Carlson	Casey	Cauthorn	Conway 27	Cookson
Crawford	Davis	Dugger	Ellington	Elmer
Entlicher	Flanigan	Fuhr	Guernsey	Haefner
Hodges	Hughes	Keeney	Lant	Leach
Marshall	McCaherty	McDonald	McGhee	McNeil
Meadows	Nasheed	Parkinson	Pierson	Pollock
Reiboldt	Sater	Schad	Schieffer	Shumake
Smith 150	Wallingford	Wells	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brown 50	Cross	Day	Dieckhaus
Funderburk	Gatschenberger	Grisamore	Hampton	Hubbard
Jones 63	Kander	Lasater	Leara	Long
Nolte	Redmon	Scharnhorst	Schoeller	Schupp
Still	Thomson			

Representative Hoskins declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 52, relating to wildlife and forestry resources, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HJR 52** was read the third time and passed by the following vote:

AYES: 114

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McDonald	McGeoghegan
McGhee	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nichols	Parkinson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 028

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Holsman	Hummel	Kirkton	May
McCann Beatty	McCreery	McManus	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 50	Cross	Day	Denison
Dieckhaus	Ellington	Funderburk	Grisamore	Hubbard
Hughes	Jones 63	Kander	Lasater	Leara
Nolte	Phillips	Redmon	Scharnhorst	Schoeller
Schupp				

Representative Hoskins declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 38** - General Laws
- HCR 39** - General Laws
- HCR 47** - Economic Development
- HCR 49** - Tourism and Natural Resources
- HCR 50** - Children and Families

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 74** - Tax Reform
- HJR 82** - Special Standing Committee on Judicial Reform
- HJR 84** - Elementary and Secondary Education
- HJR 86** - Elections
- HJR 88** - General Laws
- HJR 89** - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1183** - Elections
- HB 1314** - Tax Reform
- HB 1352** - Local Government
- HB 1418** - Workforce Development and Workplace Safety
- HB 1438** - Elections
- HB 1440** - Healthcare Policy
- HB 1557** - Financial Institutions
- HB 1605** - Financial Institutions
- HB 1666** - Ways and Means
- HB 1745** - Insurance Policy
- HB 1755** - Insurance Policy
- HB 1766** - Special Standing Committee on Governmental Affairs
- HB 1824** - Small Business
- HB 1838** - Corrections
- HB 1914** - Judiciary
- HB 1937** - Transportation
- HB 1938** - Health Care Policy
- HB 1944** - Ways and Means
- HB 1946** - Elementary and Secondary Education
- HB 1947** - Local Government
- HB 1951** - Professional Registration and Licensing
- HB 1954** - Ways and Means

HB 1957 - Crime Prevention and Public Safety
HB 1959 - Local Government
HB 1960 - Transportation Funding and Public Institutions
HB 1972 - Utilities
HB 1973 - Crime Prevention and Public Safety
HB 1975 - General Laws
HB 1984 - Budget
HB 1985 - Economic Development
HB 1986 - Special Standing Committee on Government Oversight and Accountability
HB 1998 - General Laws
HB 2000 - Professional Registration and Licensing
HB 2027 - Elementary and Secondary Education
HB 2028 - Children and Families

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 480 - Transportation
SCS SB 569 - Elections
SB 578 - Local Government

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was returned **HCS HB 1323**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1137**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SS SCS SB 719**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1117**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1521**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1934** and **HB 1654**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 36**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 64**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1066**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1076 & 1302**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1109**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1110**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1211**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1256**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1273**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1358**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1358**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1364**, begs leave to report it has examined the same and recommends that it **Do Pass Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1383**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1444**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1455**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1458**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1534**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1540**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1574 & 1097**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1661**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1789**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1826**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1860**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1869**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1890**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 568**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 53, introduced by Representatives Schoeller, Tilley, Smith (150), Diehl, Jones (89), Dugger and Cox, relating to submission of a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to the secretary of state.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 90, introduced by Representative Aull, relating to bonded indebtedness of school districts.

HJR 91, introduced by Representative Aull, relating to volunteer bingo game operations.

HJR 92, introduced by Representative Cox, relating to elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2046, introduced by Representative Phillips, relating to the resale of a repaired motor vehicle.

HB 2047, introduced by Representatives Davis and Day, relating to uniform military and overseas voters.

HB 2048, introduced by Representatives Schad and Marshall, relating to prohibiting certain animals inside the state capitol building.

HB 2049, introduced by Representatives Torpey, Grisamore, Hoskins, Molendorp, Rizzo and Largent, relating to child molestation in the first degree.

HB 2050, introduced by Representatives Scharnhorst, Tilley, Jones (89), Funderburk and Dieckhaus, relating to school superintendents.

HB 2051, introduced by Representatives Cookson, Scharnhorst, Koenig, Jones (89), Bahr, Tilley, Shumake, Rowland, Denison, Wells, Schatz, Burlison, Funderburk, Diehl, Grisamore, Parkinson, Fitzwater, Lant, McGhee and Houghton, relating to public school curriculum.

HB 2052, introduced by Representative Johnson, relating to protective headgear for operation of motorcycles and motortricycles.

HB 2053, introduced by Representative Aull, relating to school annexation.

HB 2054, introduced by Representative Aull, relating to the joint committee on education.

HB 2055, introduced by Representative Aull, relating to school food services.

HB 2056, introduced by Representative Aull, relating to insurance premium rates.

HB 2057, introduced by Representative Brown (116), relating to public assistance for illegal aliens.

HB 2058, introduced by Representatives Brown (116) and Day, relating to a women veterans license plate.

HB 2059, introduced by Representative Brown (116), relating to the officers in cities of the fourth classification.

HB 2060, introduced by Representatives Davis, Frederick and White, relating to the disclosure of private information to employers.

HB 2061, introduced by Representative Swearingen, relating to the issuance of state license plates.

HB 2062, introduced by Representative Guernsey, relating to conveyance of real estate.

HB 2063, introduced by Representatives Denison, Pollock, Wells, Franz, McDonald and Phillips, relating to ignition interlock devices.

HB 2064, introduced by Representative Schneider, relating to collection agency contracts.

HB 2065, introduced by Representative Schneider, relating to merchandising practices at health spas.

HB 2066, introduced by Representatives Curtman, Gatschenberger, Davis, Koenig, Bahr and Ellington, relating to state enforcement of certain federal laws.

HB 2067, introduced by Representatives Hampton, Redmon, Fitzwater and Fraker, relating to condemnation of property for the purposes of wastewater runoff management.

HB 2068, introduced by Representatives Bahr, Scharnhorst, Jones (89), Tilley, Dieckhaus, Parkinson, Higdon, Koenig and Gatschenberger, relating to membership dues of school administrators.

HB 2069, introduced by Representative Cierpiot, relating to licensure of cosmetologists and barbers.

HB 2070, introduced by Representative Lichtenegger, relating to mechanic's liens.

HB 2071, introduced by Representative Gosen, relating to driver's license veteran designations.

HB 2072, introduced by Representative Richardson, relating to local use taxes on motor vehicles.

HB 2073, introduced by Representatives McCann Beatty, Carter, Hughes, McCreery, Pace, McNeil, Webb, Smith (71) and McGeoghegan, relating to nonjudicial foreclosure proceedings.

HB 2074, introduced by Representative McCann Beatty, relating to liens for certain charitable health care entities and practitioners.

HB 2075, introduced by Representative Johnson, relating to daylight saving time elimination.

HB 2076, introduced by Representatives Sommer, Zerr, Crawford, Riddle, Brandom, Franklin, Black, Kratky, McGeoghegan, Brown (85), Lichtenegger, Entlicher, Parkinson, Diehl, Brown (116), Jones (89), Meadows and Kelley (126), relating to preferences in governmental contracts for persons who contribute to alternatives to abortion services.

HB 2077, introduced by Representatives Lampe, Carter, Still, Webber, Webb, Nasheed, McCann Beatty, McNeil, Newman, Kirkton, Spreng, Taylor, Nichols, Pierson, McCreery, Black, Colona, Hummel, Shively, Quinn, Aull, McDonald, Kratky, McManus, Hodges, Fallert, Carlson, Smith (71), Harris, Morgan, Walton Gray, May, Anders, Swearingen, McGeoghegan, Schieffer, Oxford, Atkins, Pace, Meadows and Casey, relating to the establishment of a Missouri yellow dot program.

HB 2078, introduced by Representatives Oxford, Pace, May, Anders, Smith (71), Walton Gray, Swearingen, Carlson, Hodges, Meadows, Kratky, Webber, Quinn, Aull, Hughes, Swinger, Ellinger, Nasheed, Webb, Carter, McCann Beatty, McCreery, Newman, Spreng, Nichols, Taylor, Ellington, Harris, Morgan, Atkins, McGeoghegan, Schieffer, Conway (27), Fallert, Casey, Kirkton, Sifton, McNeil, Hummel, Colona, Brown (50), Black, Rizzo, McManus, Montecillo, Lampe, McDonald, Still, Holsman and Long, relating to child care subsidies.

HB 2079, introduced by Representatives Oxford and Ellinger, relating to the temporary governance of a school district located in a city not within a county.

HB 2080, introduced by Representative Keeney, relating to sales tax for trade-in or exchange transactions.

HB 2081, introduced by Representatives Marshall, Silvey, Schieber, Nance, Higdon, Grisamore, Phillips, Fuhr, Torpey, Berry, Lasater, Brattin, Neth, Swearingen, Kelly (24), Morgan, Anders, McManus, McCann Beatty, Solon, Rizzo, Holsman, Hummel and Ellington, relating to prohibited activities in the Kansas City police department.

HB 2082, introduced by Representatives Marshall, Koenig, Parkinson, Brattin, Schieber, Burlison, Bahr and Curtman, relating to licensure requirements for certain professions.

HB 2083, introduced by Representatives Kelley (126), Pollock, Largent, Wells, Crawford, Richardson, Entlicher, Sommer, Burlison, Long, Bahr, Hodges, Smith (150), Reiboldt, Schatz, Conway (14), Brattin, Haefner, Frederick, Rowland, Curtman and Jones (89), relating to emergency utility response permits.

HB 2084, introduced by Representative Meadows, relating to the designation of the new Mississippi River bridge.

HB 2085, introduced by Representative Sommer, relating to motorcycle licenses.

HB 2086, introduced by Representative Hodges, relating to vacancies in county elected offices.

HB 2087, introduced by Representative Hughes, relating to the labeling of food.

HB 2088, introduced by Representative Hughes, relating to labeling of genetically modified food and food products.

HB 2089, introduced by Representatives Hughes, Rizzo and Smith (71), relating to small businesses.

HB 2090, introduced by Representative Hughes, relating to the Missouri supporting families income tax holiday act.

HB 2091, introduced by Representative Hughes, relating to title loans.

HB 2092, introduced by Representative Kirkton, relating to sales tax distributions.

HB 2093, introduced by Representatives Marshall and Bahr, relating to public elections.

HB 2094, introduced by Representative Frederick, relating to supervision of physician assistants.

HB 2095, introduced by Representative Smith (150), relating to the Animal Ecological Terrorism Act.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SCR 17**.

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 17

WHEREAS, two of this country's greatest waterways, the Mississippi River on Missouri's eastern border and the Missouri River which winds across the state, helped Missouri become a supply center for many of the westward-bound settlers of the nation's early years; and

WHEREAS, from the muddy Missouri to the swift and clear Jacks Fork, the hundreds of rivers and streams in Missouri snake across more than 110,000 miles of the state - more than four times the distance around the earth - providing endless recreational opportunities for Missourians, including boating, fishing, swimming, and bird watching along the bluffs bordering our many rivers and streams; and

WHEREAS, shipping along the navigable rivers boosted Missouri's status as an agriculture supplier, barges and steamboats used the waterways to move goods, river towns boomed, and railroads continued to fuel the growth of Missouri as a large transportation center; and

WHEREAS, the Missouri Territory, and later the State of Missouri, took the name of the Missouri River which was named for the Missouri Indians who lived along the banks; and

WHEREAS, the State of Missouri has many nicknames, with the most widely recognized being "The Show-Me State" and "The Cave State"; and

WHEREAS, roads along or near both banks of the Mississippi River along its entire length have been designated as "The Great River Road" and are marked with a special road sign which depicts a ship's wheel; and

WHEREAS, the Great Rivers Greenway District was established in November 2000 in St. Louis City, St. Louis County, and St. Charles County to eventually develop "The River Ring" as an interconnected system of greenways, parks, and trails in the St. Louis area which will enhance the quality of life for residents and visitors; and

WHEREAS, from confluence of the Big Muddy and the Mighty Mississippi at the eastern portion of the state and looking north, south, or west, the State of Missouri includes the land that Meriwether Lewis and William Clark scanned as they began their journey up the Missouri River on their Voyage of Discovery in 1804, the land that is habitat for deer, turkey, bald eagles, and other wildlife, the land that is farmland abundant with agricultural crops, and the same land that held 260 billion gallons of water during the Great Flood of 1993; and

WHEREAS, with much of Missouri's history tied to the mighty rivers that flow through it, Missouri should also be known as the "The Great Rivers State":

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby encourage the use of the slogan "The Great Rivers State" as a slogan for the State of Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for Kathleen Steele-Danner, the Director of the Division of Tourism.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SJR 40**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 13 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to laws that are retrospective in operation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SJR 48**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment commissions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 482**, entitled:

An act to repeal section 172.803, RSMo, and to enact in lieu thereof one new section relating to funding for research projects by the University of Missouri board of curators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 489 & 637**, entitled:

An act to repeal sections 571.020 and 571.111, RSMo, and to enact in lieu thereof two new sections relating to weapons, with existing penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 504**, entitled:

An act to repeal sections 307.365 and 643.320, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle inspections, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 565**, entitled:

An act to repeal section 376.961, RSMo, and to enact in lieu thereof one new section relating to the board of directors of the Missouri health insurance pool.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 595**, entitled:

An act to repeal sections 162.961 and 162.962, RSMo, and to enact in lieu thereof four new sections relating to due process hearing panel members, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 599**, entitled:

An act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to gifted education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 636**, entitled:

An act to repeal section 456.950, RSMo, and to enact in lieu thereof one new section relating to qualified spousal trusts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 665**, entitled:

An act to authorize the conveyance of property owned by the state to the state highways and transportation commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 671**, entitled:

An act to repeal sections 52.010, 54.033, 54.330, and 115.342, RSMo, and to enact in lieu thereof four new sections relating to certain public offices that have statutory bond requirements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 683**, entitled:

An act to repeal sections 513.430 and 513.440, RSMo, and to enact in lieu thereof two new sections relating to property exempt from attachment or execution.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 749**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 760**, entitled:

An act to repeal section 252.043, RSMo, and to enact in lieu thereof one new section relating to hunting accidents.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 781**, entitled:

An act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to appointments to emergency services boards in certain counties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 789**, entitled:

An act to repeal sections 488.5050, 650.055, and 650.100, RSMo, and to enact in lieu thereof three new sections relating to DNA profiling, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 811**, entitled:

An act to authorize the conveyance of property owned by the board of governors of Missouri State University to the city of Springfield.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 877**, entitled:

An act to amend chapter 23, RSMo, by adding thereto one new section relating to the reporting by each state department of the number of employees within each department.

In which the concurrence of the House is respectfully requested.

The following messages were received from the Senate through its Secretary of the Senate:

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **Senate Substitute for Senate Committee Substitute for Senate Bill No. 572**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Also,

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the attached is a certified copy of the Roll Call on **Senate Substitute for Senate Committee Substitute for Senate Bill No. 572**.

AYES: 024

Brown	Cunningham	Dempsey	Dixon	Engler
Goodman	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	

Callahan	Chappelle-Nadal	Curls	Green	Justus
Keaveny	McKenna	Ridgeway	Wright-Jones	

PRESENT: 000

ABSENT: 001

Crowell

ADJOURNMENT

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Walton-Gray, District 81, hereby state and affirm that my vote as recorded on Page 751 of the Journal of the House for Wednesday, March 28, 2012, by which House Bill No. 1190 was third read and passed, was incorrectly recorded as Absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2012.

/s/ Rochelle W. Gray
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 29th day of March in the year 2012.

/s/ Megan Limbach
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 3, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1953

Executive session may be held on any matter referred to the committee.

There will be a presentation on the Ag Expo Center in St. Joseph.

BUDGET

Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58

Executive session will be held: HB 2019, HJR 57, HJR 58

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, April 2, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1392, HB 1083

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Monday, April 2, 2012, 3:00 PM South Gallery.

Public hearing will be held: HB 1593

Executive session will be held: HB 1593

Executive session may be held on any matter referred to the committee.

Any bills assigned to the committee

HEALTH CARE POLICY

Wednesday, April 4, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCS HB 1490, HB 1938

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH INSURANCE

Tuesday, April 3, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1704

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 3, 2012, 8:30 AM House Hearing Room 6.

Public hearing will be held: SCS SB 655

Executive session will be held: SCS SB 655, SCS SB 562, SCS SB 563

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 2, 2012, 6:00 or Upon Evening Adjournment House Hearing Room 1.

Public hearing will be held: HB 1942, HB 1936

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 2, 2012, 12:00 PM House Hearing Room 3.

Public hearing will be held: HB 1986, HB 1955, HB 1941, HB 1940, HB 1846

Executive session may be held on any matter referred to the committee.

No meal will be provided.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS

Monday, April 2, 2012, Upon Afternoon Adjournment House Hearing Room 3.

Public hearing will be held: HB 1971, HB 1964, HB 1969, HB 1853

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 2, 2012, 12:00 PM House Hearing Room 6.

Executive session will be held: HCR 33, HB 1367

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-EIGHTH DAY, FRIDAY, MARCH 30, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 53

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 90 through HJR 92

HOUSE BILLS FOR SECOND READING

HB 2046 through HB 2095

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 47 - Dugger
- 2 HJR 49 - Curtman
- 3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1361 - Pollock
- 3 HCS HB 1272 - Kelley (126)
- 4 HCS HB 1475 - Cross
- 5 HCS HB 1275 - Koenig
- 6 HCS HB 1608 - White
- 7 HCS HB 1134 - Scharnhorst
- 8 HB 1403 - Schatz
- 9 HCS HB 1060 - Dugger
- 10 HCS HB 1549 - Richardson
- 11 HCS HB 1717 - Kelley (126)
- 12 HCS HB 1111 - Gosen

- 13 HCS HB 1150 - Smith (150)
- 14 HCS HB 1515 - Schad
- 15 HCS HB 1640 - Denison
- 16 HB 1691 - Dugger
- 17 HB 1066 - McGhee
- 18 HB 1109 - Brattin
- 19 HCS HB 1110 - Barnes
- 20 HCS HB 1256 - Diehl
- 21 HCS HB 1211 - Dieckhaus
- 22 HB 1273 - Kelley (126)
- 23 HCS HB 1364 - Schieffer
- 24 HCS HB 1383 - Cox
- 25 HCS HB 1444 - Smith (150)
- 26 HCS HB 1458 - Hinson
- 27 HB 1534 - Bahr
- 28 HB 1540 - Jones (89)
- 29 HCS HBs 1574 & 1097 - Meadows
- 30 HCS HB 1661 - Hoskins
- 31 HCS HB 1789 - Schad
- 32 HCS HB 1826 - Fitzwater
- 33 HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1593, (Fiscal Review 3/28/12) - Jones (89)

SENATE JOINT RESOLUTIONS FOR SECOND READING

- 1 SS SCS SJR 40
- 2 SS#2 SJR 48

SENATE BILLS FOR SECOND READING

- 1 SB 482
- 2 SS SCS SBs 489 & 637
- 3 SB 504
- 4 SCS SB 565
- 5 SS SCS SB 595
- 6 SB 599

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7 SB 636
8 SS SB 665
9 SCS SB 671
10 SCS SB 683
11 SS SB 749
12 SB 760
13 SS SB 781
14 SCS SB 789
15 SB 811
16 SS SB 877

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11 - Kelley (126)
2 HCS HCR 30 - Hampton
3 HCR 25 - Allen
4 HCR 7 - Rowland
5 HCR 31 - Schieffer
6 HCR 36 - Asbury
7 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-EIGHTH DAY, FRIDAY, MARCH 30, 2012

The House met pursuant to adjournment.

Representative Bernskoetter in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 53 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 90 through **HJR 92** were read the second time.

SECOND READING OF HOUSE BILLS

HB 2046 through **HB 2095** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTIONS

SS SCS SJR 40 and **SS#2 SJR 48** were read the second time.

SECOND READING OF SENATE BILLS

SB 482, **SS SCS SBs 489 & 637**, **SB 504**, **SCS SB 565**, **SS SCS SB 595**, **SB 599**, **SB 636**, **SS SB 665**, **SCS SB 671**, **SCS SB 683**, **SS SB 749**, **SB 760**, **SS SB 781**, **SCS SB 789**, **SB 811** and **SS SB 877** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 53 - Elections

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2096, introduced by Representative Korman, relating to alternative county highway commissions.

HB 2097, introduced by Representative Korman, relating to unemployment compensation.

HB 2098, introduced by Representative Elmer, relating to unlawful discriminatory practices.

HB 2099, introduced by Representative Elmer, relating to the whistleblower's protection act.

HB 2100, introduced by Representative Jones (117), relating to sales and use tax.

HB 2101, introduced by Representative Gatschenberger, relating to fire protection districts.

HB 2102, introduced by Representative Gatschenberger, relating to table tap dispensing systems.

HB 2103, introduced by Representatives Leach and Conway (14), relating to smoking in public places.

HB 2104, introduced by Representative Elmer, relating to the second injury fund.

HB 2105, introduced by Representative Meadows, relating to emergency vehicle access to certain gated communities.

HB 2106, introduced by Representatives Marshall, Wallingford, Allen and Flanigan, relating to the state auditor's office responsibilities, duties, and enforcement.

HB 2107, introduced by Representative Marshall, relating to blighted areas.

HB 2108, introduced by Representative Jones (117), relating to sheriff charges in civil cases.

HB 2109, introduced by Representative Schoeller, relating to voter registration.

HB 2110, introduced by Representative Nolte, relating to county special road and bridge levies.

The following members' presence was noted: Elmer, Gatschenberger, Hodges, Hughes, and Jones (117).

ADJOURNMENT

On motion of Representative Bernskoetter, the House adjourned until 4:00 p.m., Monday, April 2, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 3, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1953

Executive session may be held on any matter referred to the committee.

There will be a presentation on the Ag Expo Center in St. Joseph.

BUDGET

Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58

Executive session will be held: HB 2019, HJR 57, HJR 58

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, April 4, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1882, HB 1102, HB 1565, HB 1877

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, April 2, 2012, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 1392, HB 1083

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, April 3, 2012, 5:00 PM House Hearing Room 3.

Public hearing will be held: HCR 47, HB 1985, HB 1493

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 3, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: SCS SB 569, HJR 89, HCR 53

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Monday, April 2, 2012, 3:00 PM South Gallery.

Public hearing will be held: HB 1593

Executive session will be held: HB 1593

Executive session may be held on any matter referred to the committee.

Any bills assigned to the committee

HEALTH CARE POLICY

Wednesday, April 4, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCS HB 1490, HB 1938

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH INSURANCE

Tuesday, April 3, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1704

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 3, 2012, 8:30 AM House Hearing Room 6.

Public hearing will be held: SCS SB 655

Executive session will be held: SCS SB 655, SCS SB 562, SCS SB 563

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 2, 2012, 6:00 or Upon Evening Adjournment House Hearing Room 1.

Public hearing will be held: HB 1942, HB 1936

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 4, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SB 578, HB 1299, HB 1129, HB 1947, HB 1959, HB 1523

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 2, 2012, 12:00 PM House Hearing Room 3.

Public hearing will be held: HB 1986, HB 1955, HB 1941, HB 1940, HB 1846

Executive session may be held on any matter referred to the committee.

No meal will be provided.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS

Monday, April 2, 2012, Upon Afternoon Adjournment House Hearing Room 3.

Public hearing will be held: HB 1971, HB 1964, HB 1969, HB 1853

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 3, 2012, Upon Morning Recess House Hearing Room 7.

Public hearing will be held: SCS SB 480, HB 1937, HB 1759

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, April 3, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.

Public hearing will be held: HB 1960

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 2, 2012, 12:00 PM House Hearing Room 6.

Executive session will be held: HCR 33, HB 1367

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-NINTH DAY, MONDAY, APRIL 2, 2012

HOUSE BILLS FOR SECOND READING

HB 2096 through HB 2110

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 47 - Dugger
- 2 HJR 49 - Curtman
- 3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1361 - Pollock
- 3 HCS HB 1272 - Kelley (126)
- 4 HCS HB 1475 - Cross
- 5 HCS HB 1275 - Koenig
- 6 HCS HB 1608 - White
- 7 HCS HB 1134 - Scharnhorst
- 8 HB 1403 - Schatz
- 9 HCS HB 1060 - Dugger
- 10 HCS HB 1549 - Richardson
- 11 HCS HB 1717 - Kelley (126)
- 12 HCS HB 1111 - Gosen
- 13 HCS HB 1150 - Smith (150)
- 14 HCS HB 1515 - Schad
- 15 HCS HB 1640 - Denison
- 16 HB 1691 - Dugger
- 17 HB 1066 - McGhee
- 18 HB 1109 - Brattin

- 19 HCS HB 1110 - Barnes
- 20 HCS HB 1256 - Diehl
- 21 HCS HB 1211 - Dieckhaus
- 22 HB 1273 - Kelley (126)
- 23 HCS HB 1364 - Schieffer
- 24 HCS HB 1383 - Cox
- 25 HCS HB 1444 - Smith (150)
- 26 HCS HB 1458 - Hinson
- 27 HB 1534 - Bahr
- 28 HB 1540 - Jones (89)
- 29 HCS HBs 1574 & 1097 - Meadows
- 30 HCS HB 1661 - Hoskins
- 31 HCS HB 1789 - Schad
- 32 HCS HB 1826 - Fitzwater
- 33 HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1593, (Fiscal Review 3/28/12) - Jones (89)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Kelley (126)
- 2 HCS HCR 30 - Hampton
- 3 HCR 25 - Allen
- 4 HCR 7 - Rowland
- 5 HCR 31 - Schieffer
- 6 HCR 36 - Asbury
- 7 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-NINTH DAY, MONDAY, APRIL 2, 2012

The House met pursuant to adjournment.

Representative Leara in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is good unto them that wait for Him, to the soul that seeketh Him. (Lamentations 3:25)

Almighty and Eternal God, Whose love is eternal and Whose patience never ends, in all quietness of mind and sincerity of heart we wait upon You. Fill us with Your Holy Spirit that this afternoon may be a good afternoon and this week a great week. Purify our hearts from every vain and sinful thought and prepare our spirits to live with You and to work for the welfare of our beloved state.

Strong in You, may we receive power to think good thoughts, strength to do our duty to ourselves, to others, and to You. Grant unto us the confidence to say “yes” to what is good; the courage to say “no” to what is evil and the insight to know the difference. So may Your will be done in us and in all people.

And the House says, “Amen!”

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-seventh day was approved as printed.

The Journal of the forty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1552 through House Resolution No. 1591

SECOND READING OF HOUSE BILLS

HB 2096 through **HB 2110** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1593**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTIONS

HCS HCR 30, relating to river management, was taken up by Representative Hampton.

On motion of Representative Hampton, **HCS HCR 30** was adopted.

HCR 25, relating to school nurses, was taken up by Representative Allen.

On motion of Representative Allen, **HCR 25** was adopted.

HCR 11, relating to “Missouri Animal Agriculture Day,” was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HCR 11** was adopted.

THIRD READING OF HOUSE BILL

HB 1593, relating to investment incentives, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 1593** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Pace	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 012

Bahr	Brattin	Burlison	Curtman	Dugger
Keeney	Koenig	Leach	Marshall	Parkinson
Pollock	Schieber			

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 013

Asbury	Atkins	Aull	Brown 50	Diehl
Funderburk	Hodges	Hughes	Lampe	Lasater
Molendorp	Nolte	Mr Speaker		

Representative Leara declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1988 - Professional Registration and Licensing

HB 2043 - Elementary and Secondary Education

HB 2083 - Utilities

COMMITTEE REPORT

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SCS SB 498**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following members' presence was noted: Asbury, Atkins and Lampe.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 3, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 3, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1953

Executive session may be held on any matter referred to the committee.

There will be a presentation on the Ag Expo Center in St. Joseph.

BUDGET

Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58, HB 1984

Executive session will be held: HB 2019, HJR 57, HJR 58

Executive session may be held on any matter referred to the committee.

AMENDED

CHILDREN AND FAMILIES

Wednesday, April 4, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1882, HB 1102, HB 1565, HB 1877

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, April 3, 2012, 5:00 PM House Hearing Room 3.

Public hearing will be held: HCR 47, HB 1985, HB 1493

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 3, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: SCS SB 569, HJR 89, HCR 53

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 4, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 2043

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, April 3, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1483, HB 1394, HB 1044

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 4, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCS HB 1490, HB 1938

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH INSURANCE

Tuesday, April 3, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1704

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 3, 2012, 8:30 AM House Hearing Room 6.

Public hearing will be held: SCS SB 655

Executive session will be held: SCS SB 655, SCS SB 562, SCS SB 563

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Tuesday, April 3, 2012, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Agriculture and International Trade - Presentations from various agricultural groups

JUDICIARY

Wednesday, April 4, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1858

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 4, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SB 578, HB 1299, HB 1129, HB 1947, HB 1959, HB 1523

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 4, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1951, HB 1988, HB 2000

Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, April 4, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1824

Executive session will be held: HB 1306, HB 1674, HB 1146, HB 1065

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 3, 2012, Upon Morning Recess House Hearing Room 7.

Public hearing will be held: SCS SB 480, HB 1937, HB 1759

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, April 3, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.

Public hearing will be held: HB 1960

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, April 3, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HCR 46, HB 2083

Executive session will be held: SB 594

Executive session may be held on any matter referred to the committee.

VETERANS

Wednesday, April 4, 2012, 9:00 AM South Gallery.

Executive session will be held: HJR 85

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTIETH DAY, TUESDAY, APRIL 3, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 47 - Dugger
- 2 HJR 49 - Brattin
- 3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1361 - Pollock
- 3 HCS HB 1272 - Kelley (126)
- 4 HCS HB 1475 - Cross
- 5 HCS HB 1275 - Koenig
- 6 HCS HB 1608 - White
- 7 HCS HB 1134 - Scharnhorst
- 8 HB 1403 - Schatz
- 9 HCS HB 1060 - Dugger
- 10 HCS HB 1549 - Richardson
- 11 HCS HB 1717 - Kelley (126)
- 12 HCS HB 1111 - Gosen
- 13 HCS HB 1150 - Smith (150)
- 14 HCS HB 1515 - Schad
- 15 HCS HB 1640 - Denison
- 16 HB 1691 - Dugger
- 17 HB 1066 - McGhee
- 18 HB 1109 - Brattin
- 19 HCS HB 1110 - Barnes
- 20 HCS HB 1256 - Diehl
- 21 HCS HB 1211 - Dieckhaus
- 22 HB 1273 - Kelley (126)
- 23 HCS HB 1364 - Schieffer
- 24 HCS HB 1383 - Cox

- 25 HCS HB 1444 - Smith (150)
- 26 HCS HB 1458 - Hinson
- 27 HB 1534 - Bahr
- 28 HB 1540 - Jones (89)
- 29 HCS HBs 1574 & 1097 - Meadows
- 30 HCS HB 1661 - Hoskins
- 31 HCS HB 1789 - Schad
- 32 HCS HB 1826 - Fitzwater
- 33 HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7 - Rowland
- 2 HCR 31 - Schieffer
- 3 HCR 36 - Asbury
- 4 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTIETH DAY, TUESDAY, APRIL 3, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the merciful, for they shall obtain mercy. (Matthew 5:7)

Almighty God, the creator of all things, the sustainer of all life, and the giver of every good gift - again we bow in Your presence and in spirit kneel before the Throne of Mercy. We acknowledge our selfishness, our shortcomings, and our sins. We have done that which we ought not to have done, and we have left undone that which we ought to have done. We do earnestly repent and are heartily sorry for these our misdoings.

Have mercy upon us, most merciful Father, we humbly beseech You. Forgive us, and receiving Your forgiveness, may we in turn, forgive one another; as we have received mercy may we also be merciful; as love has come to us may love also go out from us to others.

As we bow before You in prayer give to us the assurance, that with You, all good things are possible. So may we do good, speak good, live good, because in You, we are good.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Marin McMenus.

The Journal of the forty-ninth day was approved as printed.

PERFECTION OF HOUSE BILLS

HCS HB 1475, relating to tanning devices, was taken up by Representative Cross.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1475, Page 1, Section 577.665, Line 12, by inserting after all of said line the following:

“3. Any person less than fifteen years of age shall be prohibited from using any tanning device.

4. Any operator of a tanning facility who allows a person less than fifteen years of age to use a tanning device in violation of this section shall be assessed a fine of two hundred fifty dollars for the first violation and five hundred dollars for each subsequent violation. Every use of a tanning facility in violation of this section is a separate offense.

5. The enforcement of the provisions of this section shall be provided by existing personnel and resources of law enforcement and the department of health and senior services.”; and

Further amend said section by renumbering the subsequent sub-sections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

HCS HB 1475, as amended, was laid over.

HB 1403, relating to workers’ compensation, was taken up by Representative Schatz.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1403, Page 1, Section A, Line 4, by inserting the following after all of said line:

“287.067. 1. In this chapter the term "occupational disease" is hereby defined to mean, unless a different meaning is clearly indicated by the context, an identifiable disease arising with or without human fault out of and in the course of the employment. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where the diseases follow as an incident of an occupational disease as defined in this section. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin in a risk connected with the employment and to have flowed from that source as a rational consequence.

2. An injury **or death** by occupational disease is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

3. An injury due to repetitive motion is recognized as an occupational disease for purposes of this chapter. An occupational disease due to repetitive motion is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

4. "Loss of hearing due to industrial noise" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be a loss of hearing in one or both ears due to prolonged exposure to harmful noise in employment. "Harmful noise" means sound capable of producing occupational deafness.

5. "Radiation disability" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be that disability due to radioactive properties or substances or to Roentgen rays (X-rays) or exposure to ionizing radiation caused by any process involving the use of or direct contact with radium or radioactive properties or substances or the use of or direct exposure to Roentgen rays (X-rays) or ionizing radiation.

6. Disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart or cardiovascular system, including carcinoma, may be recognized as occupational diseases for the purposes of this chapter and are defined to be disability due to exposure to smoke, gases, carcinogens, inadequate oxygen, of paid firefighters of a paid fire department or paid police officers of a paid police department certified under chapter 590 if a direct causal relationship is established, or psychological stress of firefighters of a paid fire department if a direct causal relationship is established.

7. Any employee who is exposed to and contracts any contagious or communicable disease arising out of and in the course of his or her employment shall be eligible for benefits under this chapter as an occupational disease.

8. With regard to occupational disease due to repetitive motion, if the exposure to the repetitive motion which is found to be the cause of the injury is for a period of less than three months and the evidence demonstrates that the exposure to the repetitive motion with the immediate prior employer was the prevailing factor in causing the injury, the prior employer shall be liable for such occupational disease.”; and

Further amend said bill, Section 287.120, Page 1, Lines 4-8, by deleting said lines and inserting in lieu thereof the following:

“in the course of the employee’s employment[.]. **Any employee of such employer shall not be liable for any injury or death for which compensation is recoverable under this chapter and every employer and employees of such employer shall be released from all other liability therefor whatsoever, whether to the employee or any other person, except that an employee shall not be released from liability for injury or death if the employee engaged in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury.** The term “accident” as used”; and

Further amend said bill, Section 287.149, Page 9, Line 10, by inserting the following after all of said line:

“287.150. 1. Where a third person is liable to the employee or to the dependents, for the injury or death, the employer shall be subrogated to the right of the employee or to the dependents against such third person, and the recovery by such employer shall not be limited to the amount payable as compensation to such employee or dependents, but such employer may recover any amount which such employee or his dependents would have been entitled to recover. Any recovery by the employer against such third person shall be apportioned between the employer and employee or his dependents using the provisions of subsections 2 and 3 of this section.

2. When a third person is liable for the death of an employee and compensation is paid or payable under this chapter, and recovery is had by a dependent under this chapter either by judgment or settlement for the wrongful death of the employee, the employer shall have a subrogation lien on any recovery and shall receive or have credit for sums paid or payable under this chapter to any of the dependents of the deceased employee to the extent of the settlement or recovery by such dependents for the wrongful death. Recovery by the employer and credit for future installments shall be computed using the provisions of subsection 3 of this section relating to comparative fault of the employee.

3. Whenever recovery against the third person is effected by the employee or his dependents, the employer shall pay from his share of the recovery a proportionate share of the expenses of the recovery, including a reasonable attorney fee. After the expenses and attorney fee have been paid, the balance of the recovery shall be apportioned between the employer and the employee or his dependents in the same ratio that the amount due the employer bears to the total amount recovered if there is no finding of comparative fault on the part of the employee, or the total damages determined by the trier of fact if there is a finding of comparative fault on the part of the employee. Notwithstanding the foregoing provision, the balance of the recovery may be divided between the employer and the employee or his dependents as they may otherwise agree. Any part of the recovery found to be due to the employer, the employee or his dependents shall be paid forthwith and any part of the recovery paid to the employee or his dependents under this section shall be treated by them as an advance payment by the employer on account of any future installments of compensation in the following manner:

(1) The total amount paid to the employee or his dependents shall be treated as an advance payment if there is no finding of comparative fault on the part of the employee; or

(2) A percentage of the amount paid to the employee or his dependents equal to the percentage of fault assessed to the third person from whom recovery is made shall be treated as an advance payment if there is a finding of comparative fault on the part of the employee.

4. In any case in which an injured employee has been paid benefits from the second injury fund as provided in subsection 3 of section 287.141, and recovery is had against the third party liable to the employee for the injury, the second injury fund shall be subrogated to the rights of the employee against said third party to the extent of the payments made to him from such fund, subject to provisions of subsections 2 and 3 of this section.

5. No construction design professional who is retained to perform professional services on a construction project or any employee of a construction design professional who is assisting or representing the construction design professional in the performance of professional services on the site of the construction project shall be liable for any injury resulting from the employer's failure to comply with safety standards on a construction project for which compensation is recoverable under the workers' compensation law, unless responsibility for safety practices is specifically assumed by contract. The immunity provided by this subsection to any construction design professional shall not apply to the negligent preparation of design plans or specifications.

6. Any provision in any contract or subcontract, where one party is an employer in the construction group of code classifications, which purports to waive subrogation rights provided under this section in anticipation of a future injury or death is hereby declared against public policy and void. Each contract of insurance for workers' compensation shall require the insurer to diligently pursue all subrogation rights of the employer and shall require the employer to fully cooperate with the insurer in pursuing such recoveries, except that the employer may enter into compromise agreements with an insurer in lieu of the insurer pursuing subrogation against another party. The amount of any subrogation recovery by an insurer shall be credited against the amount of the actual paid losses in the determination of such employer's experience modification factor within forty-five days of the collection of such amount.

7. Notwithstanding any other provision of this section, when a third person is liable to the employee or to the dependents of an employee in a case when there is a finding that an occupational disease was caused by toxic exposure and the employee or dependents are compensated under this chapter, in no case shall the employer be subrogated to the rights of an employee or to the dependents of an employee against such third person when the employer caused the occupational disease. As used in this subsection, the term "toxic exposure" is defined to mean exposure to chemicals, dusts, particulates, fumes, mists, fibers, solvents, vapors, radiation, or other substances or materials that, when ingested, consumed, inhaled, or absorbed are sufficient to cause disease, death, mutations, cancer, deformities, or reproductive abnormalities in humans.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

On motion of Representative Schatz, **HB 1403, as amended**, was ordered perfected and printed by the following vote:

AYES: 081

Allen	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lauer	Loehner	Long
McNary	Nance	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schneider	Schoeller	Shumake	Smith 150	Stream
Swinger	Thomson	Torpey	Wells	Weter
White				

NOES: 067

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Black	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington

Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	Lichtenegger	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Smith 71
Solon	Sommer	Spreng	Still	Swearingen
Talboy	Taylor	Wallingford	Webb	Webber
Wyatt	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 015

Diehl	Funderburk	Hughes	Klippenstein	Lasater
Leach	Leara	Meadows	Molendorp	Nolte
Silvey	Walton Gray	Wieland	Wright	Mr Speaker

HCS HB 1060, relating to elections, was taken up by Representative Dugger.

Representative Scharnhorst offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1060, Page 8, Section 115.761, Line 31, by inserting after all of said section the following:

“162.102. 1. Beginning July 1, 2013, no school district shall retain the authority to hire or contract with a superintendent of schools, except as provided in sections 162.102 to 162.104, and sections 162.083 and 162.1100.

2. The office of superintendent of schools shall become an elective office as of the opening date of the candidate filing period for school board elections scheduled for calendar year 2013. Any person who holds a valid contract as superintendent or who is appointed as an interim superintendent as of the opening date of the candidate filing period for school board elections scheduled for calendar year 2013 shall, unless elected to the office of the superintendent as provided in sections 162.102 to 162.104, forfeit the office as of noon on July 1, 2013.

3. In the event that no person files to become a candidate for superintendent of schools, a majority of the members of the board of education may appoint an interim superintendent who shall serve until July first after the next available election cycle that produces a candidate for superintendent.

162.103. 1. A superintendent of schools elected under sections 162.102 to 162.104 shall have the following qualifications:

- (1) Be a resident of the state at the time of filing for election;**
- (2) Hold a valid Missouri administrator's certificate; and**
- (3) Have five years of school administrative experience.**

2. A superintendent elected under sections 162.102 to 162.104 shall take office at noon on July first and shall serve a term of three years or until his or her successor takes office.

3. Any vacancy occurring in the office of superintendent shall be filled by a person appointed by a majority of the members of the board of education. The person appointed shall hold office until the next municipal election, when a superintendent shall be elected for the unexpired term.

162.104. The board of education of the district shall set the salary of the superintendent of schools on the following basis:

(1) In a school district that has had an average daily attendance of three hundred fifty or less for three of the last four school years, the salary for the superintendent shall not exceed one hundred ten percent of the average salary of the district's certificated staff; or

(2) In a school district that has had an average daily attendance of more than three hundred fifty for three of the last four school years, the salary for the superintendent shall not be less than sixty percent and shall not exceed one hundred twenty percent of the average salary of the district's certificated staff.

162.083. 1. The state board of education may appoint additional members to any special administrative board appointed under section 162.081.

2. The state board of education may set a final term of office for any member of a special administrative board, after which a successor member shall be elected by the voters of the district.

(1) All final terms of office for members of the special administrative board established under this section shall expire on June thirtieth.

(2) The election of a successor member shall occur on the general municipal election day immediately prior to the expiration of the final term of office.

(3) The election shall be conducted in a manner consistent with the election laws applicable to the school district.

3. Nothing in this section shall be construed as barring an otherwise qualified member of the special administrative board from standing for an elected term on the board.

4. **Notwithstanding any other provision of law**, if the state board of education appoints a successor member to replace the chair of the special administrative board, the serving members of the special administrative board shall be authorized to appoint a superintendent of schools and contract for his or her services.

5. On a date set by the state board of education, any district operating under the governance of a special administrative board shall return to local governance, and continue operation as a school district as otherwise authorized by law.

162.591. 1. The board shall organize by electing a president, vice president, and secretary from its members. [The board of education, as soon as practicable after its organization, shall appoint a superintendent of schools.]

2. On an annual basis, the board of education shall reorganize by electing a president, vice president, and secretary from its members.

3. If [the board determines, by vote of a majority of its members, that the superintendent of schools is unable to perform his duties as required by section 168.211 or if] the office of the superintendent is vacant, the board shall appoint an acting superintendent to serve during the period of the [disability of the superintendent or the] vacancy in the office thereof.

168.201. The board of education in all districts except metropolitan districts may employ [and contract with a superintendent for a term not to exceed three years from the time of making the contract, and may employ] such [other] servants and agents as it deems necessary, and prescribe their powers, duties, compensation and term of office or employment which shall not exceed three years. It shall provide and keep a corporate seal.

168.211. 1. In metropolitan districts the superintendent of schools [shall be appointed by the board of education for a term of one to five years, during which term his compensation shall not be reduced. The superintendent of schools] may appoint, with the approval of the board, a treasurer, a commissioner of school buildings and he shall serve at the pleasure of the superintendent of schools and as many associate and assistant superintendents as he deems necessary, whose compensation shall be fixed by the board. The superintendent of schools shall give bond in the sum that the board requires but not less than fifty thousand dollars. No employee or agent of the board shall be a member of the board.

2. The superintendent of schools shall have general supervision, subject to policies established by the board, of the school system, including its various departments and physical properties, courses of instruction, discipline and conduct of the schools, textbooks and studies. All appointments, promotions and transfers of teachers and all other employees, and introduction and changes of textbooks and apparatus, shall be made by the superintendent with the approval of the board. All appointments and promotions of teachers and all other employees shall be made upon the basis of merit, to be ascertained, as far as practicable, in cases of appointment, by examination, and in cases of promotion, by length and character of service. Examinations for appointment shall be conducted by the superintendent under regulations to be made by the board. He shall make such reports to the board that it directs or the rules provide.

3. The superintendent of schools shall have general supervision, subject to policies established by the board, of all school buildings, apparatus, equipment and school grounds and of their construction, installation, operation, repair, care and maintenance; the purchasing of all supplies and equipment; the operation of the school lunchrooms; the administration of examinations for the appointment and promotion of all employees of the school system; and the

preparation and administration of the annual budget for the school system. Subject to the approval of the board of education as to number and salaries, the superintendent may appoint as many employees as are necessary for the proper performance of his duties.

4. [The board may grant a leave of absence to the superintendent of schools, and may remove him from office by vote of a majority of its members.

5.] Should the superintendent hire a commissioner of school buildings, said person shall be a person qualified by reason of education, experience and general familiarity with buildings and personnel to assume the following responsibilities and duties. Subject to the control of the superintendent of schools, he shall exercise supervision over all school buildings, machinery, heating systems, equipment, school grounds and other buildings and premises of the board of education and the construction, installation, operation, repair, care and maintenance related thereto and the personnel connected therewith; the purchasing of building supplies and equipment and such other duties as may be assigned to him by board rules or regulations.

[168.191. In all counties of the first class except counties of the first class not having a charter form of government, any board of education, other than boards in urban districts, in charge of a public school system maintaining a classified high school, previously approved by the state board of education, and employing a superintendent devoting his full time to supervisory and administrative work, may employ and enter into contract with a superintendent of schools for the school district for a period of not to exceed three years. This law shall not invalidate or repeal any other law of this state relating to the employment of teachers, principals or superintendents of public schools.]”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

HCS HB 1060, with House Amendment No. 1, pending, was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1592 through House Resolution No. 1643

PERFECTION OF HOUSE BILLS

HCS HB 1060, with House Amendment No. 1, pending, relating to elections, was again taken up by Representative Dugger.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	White	Wieland	Wright
Wyatt	Zerr			

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 012

Diehl	Flanigan	Funderburk	Hughes	Klippenstein
Lasater	Meadows	Molendorp	Walton Gray	Wells
Weter	Mr Speaker			

Representative Scharnhorst moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Korman offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1060, Page 3, Section 115.124, Line 3, by inserting after the word "**inhabitants**" the following:

"or any city, town, or village with three thousand or fewer inhabitants"; and

Further amend said bill, Page 3, Section 115.124, Line 29, by inserting after all of said line the following:

"3. In any city, town, or village with three thousand or fewer inhabitants, candidates may assume offices in nonpartisan elections as provided in subsection 1 of this section upon the approval of the voters of the city, town, or village. The governing body of such city, town, or village may submit to the voters at any election available for the city, town, or village a proposal to adopt the provisions of subsection 1 of this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the city, town, or village shall conduct nonpartisan elections as provided in subsection 1 of this section for all nonpartisan elections remaining in the year in which the proposal was adopted and for the twelve calendar years immediately following the approval of the proposal. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the proposal shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. At the end of the twelve-year period in which nonpartisan elections are conducted as provided in subsection 1 of this section, each such city, town, or village shall submit to the voters a proposal to continue conducting nonpartisan elections as provided in subsection 1 of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	White	Wieland	Wright
Wyatt	Zerr			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Bernskoetter	Conway 14	Denison	Diehl	Flanigan
Funderburk	Grisamore	Hughes	Klippenstein	Lasater
Meadows	Molendorp	Nasheed	Sater	Walton Gray
Webb	Wells	Weter	Mr Speaker	

On motion of Representative Korman, **House Amendment No. 2** was adopted.

On motion of Representative Dugger, **HCS HB 1060, as amended**, was adopted.

On motion of Representative Dugger, **HCS HB 1060, as amended**, was ordered perfected and printed.

HCS HB 1361, relating to utilities, was taken up by Representative Pollock.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1361, Page 1, Section 392.602, Line 3, by inserting after the word “**telecommunications**” on said line the phrase:

“**and broadband**”; and

Further amend said section and page, Line 16, by removing from said line the phrase “**either regulate the rates, terms, and conditions**” and inserting in lieu thereof the phrase “**regulate either the rates, terms, or conditions**”; and

Further amend said section, Page 2, Line 19, to Page 3, Line 71, Subsections 2, 3, and 4, by removing all of said subsections and lines from the bill and inserting in lieu thereof the following:

“2. Attaching entities shall inform the pole owner on whose system any equipment is to be attached of its intent to attach and the specific location of the attachment prior to attaching any such equipment. Unless otherwise agreed, the pole owner shall respond within fifteen business days of the attaching party's notice, except in cases where the pole owner is engaged in large-scale, emergency repairs or disaster response efforts, as to whether the attachment may be made without modifications to the pole, or whether additional requirements must be met prior to allowing the attachment in order to ensure system safety, reliability, and pole integrity. All attachments shall be made in accordance with safety and reliability codes applicable to the pole owner's

telecommunications transmission or rural electric cooperative distribution system as may be promulgated by any governmental agency or instrumentality of appropriate jurisdiction. If an attaching entity causes damages to, or improperly attaches equipment, such that it jeopardizes the safety, integrity, reliability, or creates replacement issues with respect to the telecommunications transmission or rural electric cooperative distribution system owner's pole or system, the attaching entity shall, at a minimum, pay to the pole owner the reasonable costs for any repairs or modification that are necessary to ensure the safe, reliable, and effective operation of the telecommunications transmission or rural electric cooperative distribution system and the attached equipment. In case of a conflict that cannot otherwise be addressed through necessary make ready work, repairs, or pole replacements, to be paid for by the attaching entity whose pole attachment or pole attachment request is responsible for same, the continued reliability and safety of the pole owner's telecommunications transmission or rural electric cooperative distribution system shall have priority over the attachments. If an attachment is made without proper notice to the pole owner, the parties may determine the penalty fee that shall be paid in addition to the past-due pole attachment fee for each such attachment. If the parties cannot agree on a reasonable penalty fee, the penalty for unauthorized attachments made after August 28, 2012, shall equal twenty-five percent of the pole attachment fee for a maximum period of twelve months. Notwithstanding any provision in this subsection, any existing contract provisions for pole attachment penalties shall remain in full force and effect until such contract expires.

3. The telecommunications transmission or rural electric cooperative distribution system pole owner shall be entitled to a reasonable rate for permitting attachments to its telecommunications transmission or rural electric cooperative distribution system poles. Any pole attachment fee charged by a pole owner shall be agreed to between the parties and shall be assessed on a per-pole basis. Such pole attachment fees shall not exceed the reasonable costs to the pole owner's system attributable to the attachments based on the current costs of such equipment calculated in a manner similar to the Federal Communications Commission rules for pole and conduit attachments. In addition, if the pole owner can provide competent evidence of additional cost-based inefficiencies in the maintenance of its system due solely to the presence of the attached equipment, the pole owner may increase the pole attachment fee by a corresponding reasonable amount in the event that such costs are not paid to the pole owner through the operation of some other provision of the agreement between the pole owner and the attaching party. Notwithstanding the forgoing, any existing contracts for pole attachments shall remain in full force and effect until such contracts expire. At the expiration of the term of an existing contract, the pole attachment fee in the new agreement shall not be subject to any increase greater than ten percent per year over any previously established pole attachment fee, provided however, that if the pole owner can provide competent evidence that the previously established pole attachment fee was set at fifty percent or more below the pole owner's cost, the pole attachment fee in the new agreement then shall not be subject to an increase greater than twenty percent per year over any previously established pole attachment fee. In either case, the pole attachment fee in the new agreement shall not exceed the pole owner's reasonable costs calculated in the manner specified in this subsection.

4. If the parties cannot agree on a reasonable pole attachment fee, either party may demand nonbinding mediation. If mediation is unsuccessful in producing an agreement, the pole owner shall set the pole attachment fee under the limits set forth in subsection 3 of this section. If the attaching entity believes the pole attachment fee exceeds the standards provided in this section, it may file a petition in the circuit court of any county in which the pole owner maintains an office for the conduct of its business. The circuit court shall have the right to hear evidence presented by the parties as to the use being made by the attaching entity and as to the relevant costs and determine the pole attachment fee to be paid for such attachments under the limits set forth in subsection 3 of this section.”; and

Further amend said section, Page 3, Line 79, by deleting the word “with” on said line and inserting in lieu thereof the word:

“within”; and

Further amend said section, Page 3, Lines 88 and 89, by deleting the phrase “telecommunications service providers or rural” and inserting in lieu thereof the phrase “telecommunications and broadband service providers and rural”; and

Further amend said section, Page 4, Line 113, by inserting after all of said line the following:

“8. In addition to the compensation provided for in subsection 7 of this section, a landowner may request to receive from a rural electric cooperative pole owner a one-time payment of five hundred dollars per mile prorated for the distance the attached line crosses the landowner’s property with a minimum payment of one hundred dollars per parcel under the following circumstances:

(1) the rural electric cooperative’s easement or right-of-way interest was acquired prior to August 28, 2006 and does not expressly prohibit use of the rural electric cooperative’s facilities for broadband or similar communications use; and

(2) the size of the rural electric cooperative’s transmission line located on the landowner’s property is 34.5 kilovolts or above and has broadband communications facilities that are a part thereof or attached thereto; and

(3) the parties agree, or a court of competent jurisdiction has determined, that the rural electric cooperative’s then-existing easement or right-of-way interest does not permit the attachment of broadband communications facilities or the use of electric facilities on the easement or right-of-way interest for broadband communications purposes; and

(4) the landowner grants in writing an easement to the rural electric cooperative, fully binding on the landowner’s successors and assigns until abandoned by the rural electric cooperative, that authorizes the use of the rural electric cooperative’s electric facilities for broadband communications purposes; and

(5) the landowner makes application for payment in writing to the cooperative within one year of the effective date of this section if the broadband communications facilities were installed prior thereto, or if the broadband facilities were installed after the effective date of this section, within one year of the initial installation of the broadband communications facilities.

The payment fixed hereunder, combined with any amounts calculated under subsection 7 of this section if any, shall be presumed to be the total amount owed for the use of the electric easements or right-of-way interests for broadband communications purposes. This presumption may only be rebutted by competent evidence that the broadband communications use has caused an additional diminution in fair market value of the landowner’s property or additional interference with the owner’s use of the property as provided for under subsection 7 of this section.”; and

Further amend said section, Page 5, Line 127, by inserting after the phrase **“August 28, 2012”** on said line the following:

“, nor to prevent a landowner from voluntarily entering into any agreement with any other entity for use of the landowner’s property provided that such agreement is subordinate to and does not conflict with the property rights and uses authorized in any easement or right-of-way interest previously granted by the landowner or by the landowner’s predecessors in interest”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1361, Page 1, Line 7, by inserting after all of said line the following:

“Further amend said section and page, Line 18, by inserting immediately after the phrase **‘as amended.’** on said line the following:

‘The provisions of this section, except for subsections 6 and 8, shall apply to cable television providers and others transmitting information by wire, radio, optical cable, electronic impulses, wireless technology, or other means that are not capable of providing broadband, and in the case of such providers, the law in effect prior to August 28, 2012, governing easements shall continue to apply.’; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Pollock, **House Amendment No. 1, as amended**, was adopted.

Representative Cierpiot offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1361, Page 4, Section 392.602, Line 122, by inserting after all of said line the following:

“9. If a rural electric cooperative undertakes pole attachments involving fiber optic cables, or any other technology that functions to provide broadband service or other high speed fiber optic cable based services, under this section and if such provider also provides broadband service to any customers within this state, then such provider shall, within a three year period from the installation of a pole attachment, be required to offer to the owner of the property upon which the pole is situated, internet broadband service at a reasonable price substantially similar to the rate charged to other customers of broadband internet service within this state. A property owner may enforce the provisions of this subsection in any court of competent jurisdiction and such court may grant injunctive relief, including, but not limited to, the removal of pole attachments from properties in which the provider is not in compliance with the requirements of this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 1361, as amended, with House Amendment No. 2, pending, was laid over.

SPECIAL RECOGNITION

The 2011-2012 University of Missouri Tigers Men’s Basketball Team was introduced by Speaker Pro Tem Schoeller and presented a resolution by Representative Still.

Head Coach Frank Haith addressed the House.

PERFECTION OF HOUSE BILLS

HCS HB 1361, as amended, with House Amendment No. 2, pending, was again taken up by Representative Pollock.

Representative Long offered **House Amendment No. 1 to House Amendment No. 2**.

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1361, Page 1, Line 7, by deleting the word **“three”** and inserting in lieu thereof the word **“five”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Cierpiot moved that **House Amendment No. 2, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Bahr	Bernskoetter	Berry	Black
Brattin	Brown 50	Brown 85	Carlson	Cierpiot
Colona	Conway 14	Cox	Curtman	Ellinger
Ellington	Elmer	Fitzwater	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Haefner	Higdon
Hinson	Holsman	Hoskins	Houghton	Hummel
Jones 89	Jones 117	Kander	Kirkton	Koenig
Korman	Kratky	Lampe	Leach	Leara
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGhee	McManus	McNeil
Montecillo	Morgan	Nasheed	Neth	Oxford
Richardson	Rizzo	Scharnhorst	Schatz	Schoeller
Smith 150	Still	Talboy	Torpey	Webb
White	Wieland	Zerr		

NOES: 078

Allen	Anders	Asbury	Atkins	Barnes
Brandom	Brown 116	Burlison	Carter	Casey
Cauthorn	Conway 27	Cookson	Crawford	Cross
Davis	Day	Denison	Dugger	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Grisamore	Guernsey	Hampton	Harris	Hodges
Hough	Hubbard	Johnson	Keeney	Kelley 126
Lair	Lant	Largent	Lauer	Lichtenegger
McGeoghegan	McNary	Nance	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Sommer	Spreng
Stream	Swearingen	Swinger	Thomson	Webber
Weter	Wright	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 017

Dieckhaus	Diehl	Funderburk	Hughes	Jones 63
Kelly 24	Klippenstein	Lasater	May	Meadows
Molendorp	Newman	Taylor	Wallingford	Walton Gray
Wells	Mr Speaker			

On motion of Representative Pollock, **HCS HB 1361, as amended**, was adopted.

On motion of Representative Pollock, **HCS HB 1361, as amended**, was ordered perfected and printed.

HCS HB 1111, relating to abandoned towed vehicles, was taken up by Representative Gosen.

On motion of Representative Gosen, **HCS HB 1111** was adopted.

On motion of Representative Gosen, **HCS HB 1111** was ordered perfected and printed.

HCS HB 1150, relating to salvage motor vehicle titles, was taken up by Representative Smith (150).

Representative Asbury offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1150, Page 5, Section 301.190, Line 163, by inserting after all of said line the following:

“301.194. 1. Notwithstanding any other provision of law, any person who purchases a motor vehicle with a certificate of destruction, junking certificate, salvage certificate, or equivalent, issued by another state, may make an application to the department of revenue for a salvage certificate of title. Prior to making application for a certificate of title on a vehicle under this section, the owner shall have the vehicle inspected by law enforcement as provided in subsection 9 of section 301.190. The application for title shall be accompanied by:

(1) A statement explaining the circumstances by which the property came into the owner's possession; a description of the property including the year, make, model, and vehicle identification number; the current location of the property; and the retail value of the property;

(2) An inspection report of the vehicle by a law enforcement agency under subsection 9 of section 301.190; and

(3) The fee prescribed in subsection 5 of section 301.190.

2. Once the requirements of subsection 1 are satisfied, the director shall issue one of the following:

(1) An original certificate of title designated as prior salvage if the vehicle examination certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged condition or rebuilt; or

(2) A salvage certificate of title designated with the words "salvage" or junking certificate based on the condition of the property as stated in the inspection report.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Asbury, **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HCS HB 1150, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1150, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 2100 - Transportation

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 635 - Financial Institutions

SCS SB 726 - Financial Institutions

COMMITTEE REPORTS

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HCR 53**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 53

Relating to submission of a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to the secretary of state.

WHEREAS, on March 27, 2012, the Circuit Court of Cole County in *Aziz v. Mayer*, Case No. 11AC-CC00439 consolidated with No. 11AC-CC00449, found that the Summary Statement as enacted in House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, "is insufficient and unfair because...the Proposed Constitutional Amendment (1) does not contain a "Voter Protection Act" in any of its sections; (2) the words "voter protection act," "protection," or "act" do not appear anywhere therein; and (3) no indication is given to where this "Voter Protection Act" can be found"; and

WHEREAS, Section 116.155, RSMo, allows the General Assembly to formulate a summary statement for measures it refers to the people for a vote; and

WHEREAS, the Court in *Aziz* stated, "Because significant changes are required here and policy choices need to be made as to how to reallocate the words in a revised summary statement, the Court chooses to vacate the summary statement and to provide the General Assembly an opportunity to revise it"; and

WHEREAS, in accordance with the Court's statement which gives the General Assembly the opportunity to revise the Summary Statement, the General Assembly hereby submits a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to read as follows:

"Shall the Missouri Constitution be amended to create standards for enacting general laws that authorize advance voting, require the use of government-issued photo identification in order to vote, and govern voting procedures based on whether an individual is voting in person or by absentee ballot?":

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby submits a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, in order to address the issues raised in *Aziz v. Mayer*, Case No. 11AC-CC00439 consolidated with No. 11AC-CC00449, by the Circuit Court of Cole County; and

BE IT FURTHER RESOLVED that this resolution of the General Assembly be deemed as an official submission by the General Assembly of a revised Summary Statement for House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to the Secretary of State; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Robin Carnahan, Secretary of State.

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 569**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1274**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 6

WHEREAS, last year, the average price of gasoline rose to nearly \$4.00 a gallon and is projected to remain high for the foreseeable future; and

WHEREAS, numerous components make up the price of gasoline, including the cost of crude oil (45%), federal and state taxes (23%), refining costs (22%), and marketing and distribution costs (10%). These components are affected by many factors; and

WHEREAS, the three main factors that contribute to changes in the price of gasoline are changes in crude oil prices, the transparency of energy markets, and regulations that affect the price of gasoline; and

WHEREAS, there is very little government can do about crude oil prices and transparency. Crude oil prices are affected by world supply and demand, which continues to grow and most rapidly in Asia. Transparency produces highly efficient markets, but it also increases volatility. Any reduction in transparency would offset efficiency; and

WHEREAS, while states have limited authority and options available to attempt to reverse the soaring fuel prices and alleviate the growing financial burden on its citizenry, the federal government is able to ease the pressure on prices and reduce volatility by reducing its own interference in the market - most directly by the way of taxes and regulation; and

WHEREAS, federal regulations have contributed significantly to the high price, high volatility environment facing consumers today. These regulations have led to the proliferation of numerous fuel blends - known as "boutique fuels" - which in turn have increased refining and distribution costs; and

WHEREAS, in addition to addressing the boutique fuel problem, Congress and the Administration should reform other Clean Air Act regulations that have resulted in the halt of construction of new refinery capacity and offshore drilling. More production and refinery capacity is needed to ease the pressure on the production system; and

WHEREAS, federal regulations are also affecting gasoline imports because foreign suppliers are unable to keep up with the increasing complexity of federal gasoline requirements. Volatility in the Middle East also threatens our second largest supplier of oil - OPEC; and

WHEREAS, while changes in federal regulations and policies are needed as a long-term solution, the federal government is able to impact gasoline prices in the short-term as well; and

WHEREAS, in the short-term, the Environmental Protection Agency should temporarily suspend clean-fuel requirements and reduce the number of fuel specifications across the country by offering a limited menu of fuel choices that states and localities can choose from; and

WHEREAS, with crude oil costs being the single largest component in the cost of gasoline, the only real impact on crude oil prices is the threat of competition; and

WHEREAS, the leading supplier of oil to the United States market is Canada, with Mexico as the third leading supplier. There are enough oil and gas resources under the ground of those two reliable neighbors to supply the United States at current consumption levels for the next 100 years; and

WHEREAS, by lowering any remaining cross-border barriers to energy imports and by increasing the capacity of cross-border distribution systems, Congress can lower the cost to both Canada and Mexico of shipping oil to the United States, thereby inducing them to bring more supply on line; and

WHEREAS, in order to reduce our dependence on foreign oil, Congress and the Administration should find ways to facilitate the building of new refineries, and an increase in production by permitting the uncapping of existing wells and the drilling of new wells; and

WHEREAS, Congress and the Administration should strive to maintain a well-functioning gasoline market for the good of the economy, without interfering in the marketplace. Changes in federal regulation, introduction of fuel flexibility, removing impediments to importation of fuel from Canada and Mexico, increasing refinery capacity and pipeline construction, as well as greater domestic oil exploration and opening additional areas of production would begin to ease the rising cost of fuels and reduce our dependence on foreign sources of oil:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress and the Obama Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs to ease the financial burden on its citizens and prevent a second recession; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama; Lisa P. Jackson, Administrator of the Environmental Protection Agency; the Majority and Minority Leaders of the United States Congress; and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SCS SB 470**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 33

Relating to the Joint Interim Committee on State Employee Wages, with an emergency clause.

WHEREAS, the Joint Interim Committee on State Employee Wages was established under HCR 32 in the Ninety-Sixth General Assembly, First Regular Session, and was charged with studying and developing strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages; and

WHEREAS, Missouri state employees are ranked 50th out of 50 states for the wages paid to state employees; and

WHEREAS, Missouri state employees provide excellent service to Missourians; and

WHEREAS, Missouri state employees have had to do more with less resources for the past several years; and

WHEREAS, Missouri state employees have not had a pay raise since 2008; and

WHEREAS, while state employee wages have remained the same since 2008, Missouri state employee insurance costs have steadily increased; and

WHEREAS, the Missouri state employees deferred compensation state match of state employee contributions made up to \$35 has not been funded for several years; and

WHEREAS, new Missouri state employees who are first employed by the state after January 1, 2011, are required to contribute 4% of their pay to their retirement plan; and

WHEREAS, the State of Missouri does not have comprehensive data on state employee compensation or total compensation; and

WHEREAS, the State of Missouri does not have a long-term or strategic plan for increasing the wages of state employees; and

WHEREAS, the State of Kansas undertook a similar initiative and has many lessons learned that could benefit the State of Missouri; and

WHEREAS, the three poorest states in the nation - West Virginia, Mississippi, and Arkansas - all rank ahead of Missouri in state employee annual compensation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby re-authorize the "Joint Interim Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, upon passage and approval of this resolution, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages; and

BE IT FURTHER RESOLVED that upon re-establishment, the Joint Interim Committee shall:

- (1) Devise a focused and concise mission statement to guide actions of the Joint Interim Committee;
- (2) Request the State Office of Administration to use moneys in the State Employee Wage Study Fund, created in this resolution, to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;
- (3) Request the State Office of Administration, with the advice and consent of the Joint Interim Committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the Governor, the House Budget Committee, and the Senate Appropriations Committee by January 31, 2015;
- (4) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Joint Interim Committee be composed of the following members:

- (1) Two majority party members and one minority party member of the House of Representatives, to be appointed by the Speaker and Minority Leader of the House;
- (2) Two majority party members and one minority party member of the Senate, to be appointed by the President Pro Tem and Minority Leader of the Senate;
- (3) One representative from the Governor's Office;
- (4) One representative from the State Personnel Advisory Board; and
- (5) Two members of the public, with one to be appointed by the Speaker of the House and one to be appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED that there is hereby created in the state treasury the "State Employee Wage Study Fund". The State Treasurer shall deposit to the credit of such fund all moneys which may be appropriated to it by the General Assembly and any gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. The general assembly may appropriate moneys into the fund to be used by the State Office of Administration for the purpose of investing in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund shall not revert to the credit of the general revenue fund at the end of the biennium; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, and the general public; and

BE IT FURTHER RESOLVED that the staff of House Appropriations, Senate Appropriations, House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Senate's Joint Contingent Expenses appropriation; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution; and

BE IT FURTHER RESOLVED that because immediate action is necessary to help attract and maintain a talented and dedicated workforce in order to best serve the needs of Missouri citizens, this resolution is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this resolution shall be in full force and effect upon its passage and approval.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1367**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 4, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 5, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HB 1895
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, April 10, 2012, 2:00 PM House Hearing Room 6.
Executive session will be held: HB 1254
Executive session may be held on any matter referred to the committee.

BUDGET

Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58, HB 1984
Executive session will be held: HB 2019, HJR 57, HJR 58
Executive session may be held on any matter referred to the committee.
AMENDED

CHILDREN AND FAMILIES

Wednesday, April 4, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1882, HB 1102, HB 1565, HB 1877
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 4, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: SS SCS SB 689, SS SCS SB 699
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 5, 2012, 9:00 AM House Hearing Room 4.
Executive session will be held: HJR 42, HB 1900, SS SCS SB 467, SS SCS SB 469

ELECTIONS

Wednesday, April 4, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HJR 89
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 4, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 2043

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 5, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

HEALTH CARE POLICY

Wednesday, April 4, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCS HB 1490, HB 1938

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH INSURANCE

Thursday, April 5, 2012, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Thursday, April 5, 2012, 9:30 AM North Gallery.

Executive session will be held: SCS SB 563

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, April 4, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1858, HB 1698

Executive session may be held on any matter referred to the committee.

AMENDED

LOCAL GOVERNMENT

Wednesday, April 4, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SB 578, HB 1299, HB 1129, HB 1947, HB 1959, HB 1523

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 4, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1951, HB 1988, HB 2000

Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, April 4, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1824

Executive session will be held: HB 1306, HB 1674, HB 1146, HB 1065

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND
ACCOUNTABILITY**

Wednesday, April 4, 2012, 5 PM or Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: HB 1846

Executive session may be held on any matter referred to the committee.

Continuation of hearing on 4/2

TOURISM AND NATURAL RESOURCES

Thursday, April 5, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 49, HB 1752

Executive session will be held: HB 1795

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 5, 2012, 9:45 AM South Gallery.

Executive session will be held: HB 1836

Executive session may be held on any matter referred to the committee.

VETERANS

Wednesday, April 4, 2012, 9:00 AM South Gallery.

Executive session will be held: HJR 85

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FIRST DAY, WEDNESDAY, APRIL 4, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 47 - Dugger
- 2 HJR 49 - Brattin
- 3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1272 - Kelley (126)
- 3 HCS HB 1475, as amended - Cross
- 4 HCS HB 1275 - Koenig
- 5 HCS HB 1608 - White
- 6 HCS HB 1134 - Scharnhorst
- 7 HCS HB 1549 - Richardson
- 8 HCS HB 1717 - Kelley (126)
- 9 HCS HB 1515 - Schad
- 10 HCS HB 1640 - Denison
- 11 HB 1691 - Dugger
- 12 HB 1066 - McGhee

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- 13 HB 1109 - Brattin
- 14 HCS HB 1110 - Barnes
- 15 HCS HB 1256 - Diehl
- 16 HCS HB 1211 - Dieckhaus
- 17 HB 1273 - Kelley (126)
- 18 HCS HB 1364 - Schieffer
- 19 HCS HB 1383 - Cox
- 20 HCS HB 1444 - Smith (150)
- 21 HCS HB 1458 - Hinson
- 22 HB 1534 - Bahr
- 23 HB 1540 - Jones (89)
- 24 HCS HBs 1574 & 1097 - Meadows
- 25 HCS HB 1661 - Hoskins
- 26 HCS HB 1789 - Schad
- 27 HCS HB 1826 - Fitzwater
- 28 HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7 - Rowland
- 2 HCR 31 - Schieffer
- 3 HCR 36 - Asbury
- 4 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FIRST DAY, WEDNESDAY, APRIL 4, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the pure in heart; for they shall see God. (Matthew 5:8)

Eternal God, from the busy traffic of daily living we pause in Your presence and wait upon You seeking strength for the day, wisdom to make wise decisions, courage to carry our responsibilities with honor, and love to motivate all our endeavors.

Should we fail in achieving some of our objectives, let not the spirit of defeat dampen our devotion; should others criticize, let not criticism get us down, but seeing the good in it may we let it lift us up; if others misunderstand, let not bitterness blight our best judgment; and if we can win, help us to be humble in victory.

In this moment of prayer we recharge our lives that we may face this day with high principles, real integrity, abounding good will, and with a pure heart that sees You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mark Schwartz, Danielle Schwartz, Jack Schwartz, Anna Schwartz, Jarrica Williams, Stephanie Trevino and Amiya Tatum.

The Journal of the fiftieth day was approved as corrected.

PERFECTION OF HOUSE BILLS

HB 1691, relating to salvage dealers, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1691** was ordered perfected and printed.

HCS HB 1134, relating to insurance coverage, was taken up by Representative Scharnhorst.

HCS HB 1134 was laid over.

HCS HB 1475, as amended, relating to tanning devices, was taken up by Representative Cross.

Representative Cross moved that **HCS HB 1475, as amended**, be recommitted to the committee on Rules as **HB 1475**.

Which motion was adopted.

HCS HB 1640, relating to motor vehicles, was taken up by Representative Denison.

Representative Swinger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1640, Page 54, Section 302.132, Line 27, by inserting after all of said line the following:

"302.800. 1. For purposes of this section, the following terms mean:

- (1) "Department", the department of revenue;**
- (2) "Director", the director of the department of revenue;**
- (3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;**
- (4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.**

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

- (1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;**
- (2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;**
- (3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and**
- (4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.**

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals

can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swinger, **House Amendment No. 1** was adopted.

Representative Denison offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1640, Page 26, Section 301.140, Line 64, by deleting the word, “plate” and inserting in lieu thereof the word, “plates”; and

Further amend said bill, Page 33, Section 301.216, Line 4, by inserting at the end of said line the following:

“**The power of arrest of a department investigator acting as a peace officer shall be limited to offenses involving fees, licenses, taxes or in situations of imminent danger to the investigator or another person.**”; and

Further amend said bill, Page 51, Section 301.580, Line 8, by deleting the word, “if” and inserting in lieu thereof the word, “is”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara assumed the Chair.

On motion of Representative Denison, **House Amendment No. 2** was adopted.

Representative Brattin offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1640, Page 20, Section 301.032, Line 49, by inserting after all of said section and line, the following:

“301.064. 1. The annual registration fee for a land improvement contractors' commercial motor vehicle is three hundred fifty dollars. The maximum gross weight for which such a vehicle may be registered is eighty thousand pounds. Transporting for hire by such a motor vehicle is prohibited.

2. Upon application to the director of revenue accompanied by an affidavit signed by the owner or owners stating that the motor vehicle to be licensed as a land improvement contractors' commercial motor vehicle shall not be operated in any manner other than as prescribed in section 301.010, and by the amount of the registration fee prescribed [above] **in subsection 1 of this section**, and otherwise complying with the laws relating to the registration and licensing of motor vehicles, the owner or owners shall be issued a [set of] **distinctive** land improvement contractors' license [plates. The director of revenue shall by regulation determine the characteristic features of land improvement contractors' license plates so that they] **plate so that it** may be readily identified as such."; and

Further amend said bill, Page 21, Section 301.069, Line 40, by inserting after all of said section and line, the following:

"301.120. 1. When the owner of a motor vehicle moves the vehicle to another state, [he] **the owner** shall return the license plates to the director of revenue within ninety days or upon the expiration of the period of reciprocity granted by the new state of residence; or if the owner of a motor vehicle ceases to operate the vehicle in Missouri, [he] **the owner** shall return the license plates to the director of revenue within ninety days.

2. For motor vehicles that require the issuance of only one license plate under section 301.130 on or after August 28, 2012, an owner whose motor vehicle has a front license plate on the effective date of this section shall surrender the front license plate to the department of revenue at the next renewal of registration for the motor vehicle."; and

Further amend said bill, Pages 21-24, Section 301.130, Lines 1-115, by removing all of said lines from the bill and inserting in lieu thereof the following:

"301.130. 1. **Beginning August 28, 2012**, the director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and [a set of license plates] **only one license plate**, or other evidence of registration, as provided by this section. Each **license plate or** set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The **plate or** plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The **plate or** plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, **except as provided in this subsection. The applicant for registration of any property-carrying commercial motor vehicle may request and be issued two license plates for such vehicle, and if such plates are issued the director of revenue may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.**

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate [or set of license plates] issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. [License plates] **The license plate** shall be fastened to all motor

vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the [front and] rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab [or set of tabs] as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab [or set of tabs] is issued shall affix and display such tab [or tabs] in the designated area of the license plate[, no more than one per plate].

(3) A tab [or set of tabs] issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new,

replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

10. The provisions of this section regarding the issuance of only one license plate for a motor vehicle shall apply to the issuance of personalized license plates.”; and

Further amend said bill, Page 33, Section 301.142, Line 215, by inserting after all of said section and line, the following:

“301.144. 1. The director of revenue shall establish and issue special personalized license plates containing letters or numbers or combinations of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Any person desiring to obtain a special personalized license plate for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight shall apply to the director of revenue on a form provided by the director and shall pay a fee of fifteen dollars in addition to the regular registration fees. The director of revenue shall issue rules and regulations setting the standards and establishing the procedure for application for and issuance of the special personalized license plates and shall provide a deadline each year for the applications. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void. No two owners shall be issued identical plates. An owner shall make a new application and pay a new fee each year such owner desires to obtain or retain special personalized license plates; however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized license plates to be replaced with new plates every three years without any additional charge, above the fee established in this section, to the renewal applicant. Any person currently in possession of an approved personalized license plate shall have first priority on that particular plate for each of the following years that timely and appropriate application is made.

2. Upon application for a personalized plate by the owner of a motor vehicle for which the owner has no registration plate available for transfer as prescribed by section 301.140, the director shall issue a temporary permit authorizing the operation of the motor vehicle until the personalized plate is issued.

3. No personalized license plates shall be issued containing any letters, numbers or combination of letters and numbers which are obscene, profane, patently offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present an unreasonable danger to the health or safety of the applicant, of other users of streets and highways, or of the public in any location where the vehicle with such a plate may be found. The director may recall any personalized license plates, including those issued prior to August 28, 1992, if the director determines that the plates are obscene, profane, patently offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present an unreasonable danger to the health or safety of the applicant, of other users of streets and highways, or of the public in any location where the vehicle with such a plate may be found. Where the director recalls such plates pursuant to the provisions of this subsection, the director shall reissue personalized license plates to the owner of the motor vehicle for which they were issued at no charge, if the new plates proposed by the owner of the motor vehicle meet the standards established pursuant to this section. The director shall not apply the provisions of this statute in a way that violates the Missouri or United States Constitutions as interpreted by the courts with controlling authority in the state of Missouri. The primary purpose of motor vehicle license plates is to identify motor vehicles. Nothing in the issuance of a personalized license plate creates a designated or limited public forum. Nothing contained in this subsection shall be interpreted to prohibit the use of license plates, which are no longer valid for registration purposes, as collector's items or for decorative purposes.

4. The director may also establish categories of special license plates from which license plates may be issued. Any such person, other than a person exempted from the additional fee pursuant to subsection 7 of this section, that desires a personalized special license plate from any such category shall pay the same additional fee and make the same kind of application as that required by subsection 1 of this section, and the director shall issue such plates in the same manner as other personalized special license plates are issued.

5. The director of revenue shall issue to residents of the state of Missouri who hold an unrevoked and unexpired official amateur radio license issued by the Federal Communications Commission, upon application and upon payment of the additional fee specified in subsection 1 of this section, except for a person exempted from the additional fee pursuant to subsection 7 of this section, personalized special license plates bearing the official amateur radio call letters

assigned by the Federal Communications Commission to the applicant with the words "AMATEUR RADIO" in place of the words "SHOW-ME STATE". The application shall be accompanied by a statement stating that the applicant has an unrevoked and unexpired amateur radio license issued by the Federal Communications Commission and the official radio call letters assigned by the Federal Communications Commission to the applicant. An owner making a new application and paying a new fee to retain an amateur radio plate may request a replacement plate with the words "AMATEUR RADIO" in place of the words "SHOW-ME STATE". If application is made to retain a plate that is three years old or older, the replacement plate shall be issued upon the payment of required fees.

6. Notwithstanding any other provision to the contrary, any business that repossesses motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard displaying the word "Repossessed", provided such business pays the license fees presently required of a manufacturer, distributor, or dealer in section 301.560. Such placard shall bear a number and shall be in such form as the director of revenue shall determine, and shall be only used for demonstrations when displayed substantially as provided for number plates on the rear of the repossessed motor vehicle or trailer.

7. Notwithstanding any provision of law to the contrary, any person who has retired from any branch of the United States armed forces or reserves, the United States Coast Guard or reserve, the United States Merchant Marines or reserve, the National Guard, or any subdivision of any such services shall be exempt from the additional fee required for personalized license plates issued pursuant to section 301.441. As used in this subsection, "retired" means having served twenty or more years in the appropriate branch of service and having received an honorable discharge.

8. The provisions of section 301.130 regarding the issuance of only one license plate for a motor vehicle shall apply to personalized license plates issued under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Bahr offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1640, Page 34, Section 301.225, Lines 12-13, by deleting the words “, **any representative of the department,**”; and

Further amend said bill, Page 38, Section 301.425, Lines 1-2, by deleting the words “**or the director of revenue or his or her designated representative**”; and

Further amend said bill, page and section, Line 5, by deleting the words “**or the director of revenue or his or her designated representative**”; and

Further amend said bill, Page 45, Section 301.560, Line 182, by deleting the words “**or agent of the department**”; and

Further amend said bill, Page 47, Section 301.562, Lines 66-67, by deleting the words “, **or any peace officer certified under chapter 590 acting in his or her official capacity**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 4** was adopted by the following vote:

AYES: 081

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Diehl	Dugger	Elmer	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Jones 117	Keeney	Kelley 126	Koenig
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Sater
Schad	Schieber	Schneider	Schoeller	Smith 150
Solon	Sommer	Stream	Torpey	Wallingford
Wells	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 068

Allen	Anders	Atkins	Aull	Black
Carlson	Carter	Casey	Colona	Conway 27
Cookson	Denison	Ellinger	Ellington	Entlicher
Fallert	Fisher	Harris	Hodges	Holsman
Hughes	Hummel	Johnson	Jones 63	Kander
Kelly 24	Kirkton	Kratky	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Newman
Nichols	Nolte	Oxford	Pace	Pierson
Quinn	Rizzo	Rowland	Ruzicka	Scharnhorst
Schieffer	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Walton Gray
Webb	Weter	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Funderburk	Hubbard	Jones 89	Klippenstein
Korman	Lampe	Largent	McGhee	Meadows
Pollock	Riddle	Schatz	Webber	

Representative Schad offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1640, Page 54, Section 302.132, Line 27, by inserting after all of said section and line, the following:

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered upervision as provided in section 302.303. 2 points
(except any violation of municipal stop sign ordinance where no accident is involved. 1 point)

(2) Speeding
In violation of a state law. 3 points
In violation of a county or municipal ordinance. 2 points

(3) Leaving the scene of an accident in violation of section 577.060. 12 points
In violation of any county or municipal ordinance. 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. 4 points
In violation of a county or municipal ordinance. 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:
(a) For the first conviction. 2 points
(b) For the second conviction. 4 points
(c) For the third conviction. 6 points
(6) Operating with a suspended or revoked license prior to restoration of operating privileges. 12 points
(7) Obtaining a license by misrepresentation. 12 points
(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight In violation of state law. 8 points
In violation of a county or municipal ordinance or federal law or regulation. 8 points

(11) Any felony involving the use of a motor vehicle. 12 points
(12) Knowingly permitting unlicensed operator to operate a motor vehicle. 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. 4 points

(14) Endangerment of a highway worker in violation of section 304.585. 4 points
(15) Aggravated endangerment of a highway worker in violation of section 304.585. 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. 4 points

(17) Endangerment of an emergency responder in violation of section 304.894. 4 points

(18) Aggravated endangerment of an emergency responder in violation of section 304.894. 12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.

304.890. As used in sections 304.890 to 304.894, the following terms shall mean:

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or

(b) An emergency vehicle displaying active emergency lights or signals;

(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

- (1) Exceeding the posted speed limit by fifteen miles per hour or more;
 - (2) Passing in violation of subsection 3 of section 304.892;
 - (3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;
 - (4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;
 - (5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;
 - (6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or
 - (7) Committing any of the following offenses for which points may be assessed under section 302.302:
 - (a) Leaving the scene of an accident in violation of section 577.060;
 - (b) Careless and imprudent driving in violation of subsection 4 of section 304.016;
 - (c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;
 - (d) Operating with a suspended or revoked license;
 - (e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;
 - (f) Any felony involving the use of a motor vehicle.
2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302.
3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302.
4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.
5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rowland offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 1640, Page 6, Line 26, by inserting after all of said line the following:

“Further amend said bill, Page 3, Section 136.055, Line 47, by inserting after all of said section and line the following:

‘144.010. 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(4) "Gross receipts", except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;

(5) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

(6) "Motor vehicle leasing company" shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(7) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(8) "Purchaser" means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(9) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

(10) "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11) "Sale at retail" means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to

144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(g) Registration with the director of revenue of motor vehicles, trailers, boats and outboard motors, regardless of whether the sale took place in this state;

(12) "Seller" means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(13) The noun "tax" means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(14) "Telecommunications service", for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 1 to House Amendment No. 5** was adopted by the following vote:

AYES: 082

Anders	Atkins	Aull	Barnes	Black
Brandom	Carlson	Carter	Casey	Cauthorn
Colona	Conway 27	Cookson	Denison	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franz	Gatschenberger
Gosen	Hampton	Harris	Hodges	Holsman
Hoskins	Houghton	Hughes	Hummel	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Kirkton
Kratky	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieffer	Shively	Shumake	Silvey	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Thomson	Walton Gray	Webb	Wells	Weter
Wright	Zerr			

NOES: 062

Allen	Asbury	Bahr	Bernskoetter	Berry
Brattin	Brown 50	Brown 85	Burlison	Cierpiot
Conway 14	Cox	Crawford	Cross	Curtman
Davis	Elmer	Flanigan	Franklin	Frederick
Fuhr	Grisamore	Guernsey	Haefner	Higdon
Hinson	Johnson	Kander	Kelley 126	Koenig
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
May	McCaherty	McGhee	McManus	McNary
Molendorp	Nance	Parkinson	Reiboldt	Schieber
Schoeller	Schupp	Sifton	Smith 71	Smith 150
Solon	Sommer	Torpey	White	Wieland
Wyatt	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 116	Day	Dieckhaus	Funderburk	Hough
Hubbard	Klippenstein	Korman	Lampe	Long
Meadows	Nolte	Pollock	Riddle	Schatz
Schneider	Swinger	Wallingford	Webber	

Representative Franklin offered **House Amendment No. 2 to House Amendment No. 5**.

House Amendment No. 2
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 1640, Page 6, Line 26, by inserting after all of said line the following:

“Further amend said bill, Page 1 through 3, Section 136.055, Lines 1 through 47, by deleting all of said section and inserting in lieu thereof the following:

‘136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

- (1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;
- (2) For each application or transfer of title--two dollars and fifty cents;
- (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;
- (4) For each notice of lien processed--two dollars and fifty cents;
- (5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities **located within the community where the office will be established** that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. **Any not-for-profit entity awarded a contract under this section shall submit the most recent annual report, prior to February first of each year, to the director of the department of revenue, which shall contain from the immediately preceding year:**

- (1) **The net receipts of the fee office;**
- (2) **An itemization of all expenditures and administrative fees paid including both operating expenses and charitable contributions; and**
- (3) **A list of all charities that benefit from the fees collected pursuant to this section.**

Any not-for-profit entity awarded a contract under this section shall prominently display at their business location all charitable entities that will benefit from any fees collected pursuant to this section. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department

shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 2 to House Amendment No. 5** was adopted.

On motion of Representative Schad, **House Amendment No. 5, as amended**, was adopted.

On motion of Representative Denison, **HCS HB 1640, as amended**, was adopted.

On motion of Representative Denison, **HCS HB 1640, as amended**, was ordered perfected and printed.

HCS HB 1272, relating to actions and damages against jails, was taken up by Representative Kelley (126).

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1272, Page 1, Section 537.082, Lines 4-6, by deleting all of said lines and inserting in lieu thereof the following:

“therein, the standard of proof shall be gross negligence.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

HCS HB 1272, as amended, was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE RESOLUTION

Representative Barnes, et al., offered House Resolution No. 1726.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1644 through House Resolution No. 1725

House Resolution No. 1727 through House Resolution No. 1729

HOUSE CONCURRENT RESOLUTIONS

Representative Nolte, et al., offered House Concurrent Resolution No. 55.

Representative Nasheed offered House Concurrent Resolution No. 56.

PERFECTION OF HOUSE BILLS

HCS HB 1272, as amended, relating to actions and damages against jails, was again taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HCS HB 1272, as amended**, was adopted.

On motion of Representative Kelley (126), **HCS HB 1272, as amended**, was ordered perfected and printed by the following vote:

AYES: 074

Allen	Bahr	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Jones 89	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lasater	Leara
Lichtenegger	Loehner	Long	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schoeller	Shumake
Smith 150	Sommer	Stream	Thomson	Wallingford
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 070

Anders	Asbury	Atkins	Aull	Barnes
Brown 50	Brown 85	Carlson	Casey	Colona
Conway 27	Crawford	Cross	Day	Ellinger
Ellington	Elmer	Fallert	Frederick	Fuhr
Harris	Higdon	Hodges	Holsman	Hubbard
Hughes	Johnson	Jones 63	Kander	Kirkton
Kratky	Lauer	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	Weter	White	Wieland

PRESENT: 001

Silvey

ABSENT WITH LEAVE: 018

Carter	Flanigan	Franz	Funderburk	Hummel
Jones 117	Kelly 24	Klippenstein	Lampe	Leach
Meadows	Nasheed	Nolte	Riddle	Schatz
Schneider	Torpey	Wells		

HCS HB 1515, relating to crimes and criminal procedures, was taken up by Representative Schad.

Speaker Tilley resumed the Chair.

Representative Schad offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1515, Page 3, Section 306.130, Line 20, by inserting after all of said line the following:

“455.020. 1. Any [adult] **person** who has been subject to domestic violence by a present or former family or household member, or who has been the victim of stalking, may seek relief under sections 455.010 to 455.085 by filing a verified petition alleging such domestic violence or stalking by the respondent.

2. [An adult's] **A person's** right to relief under sections 455.010 to 455.085 shall not be affected by his leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.010 to 455.085 shall be effective throughout the state in all cities and counties.

455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to 455.085 and for good cause shown in the petition, the court may immediately issue an ex parte order of protection. An immediate and present danger of [abuse] **domestic violence** to the petitioner **or the child on whose behalf the petition is filed** shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall take effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the motion. **The court shall deny the ex parte and dismiss the petition if the petitioner is not authorized to seek relief under section 455.020.**

2. Failure to serve an ex parte order of protection on the respondent shall not affect the validity or enforceability of such order. If the respondent is less than seventeen years of age, unless otherwise emancipated, service of process shall be made upon a **custodial** parent or guardian of the respondent, or upon a guardian ad litem appointed by the court, **requiring that the person appear and bring the respondent before the court at the time and place stated.**

3. If an ex parte order is entered and [the allegations in the petition would give rise to jurisdiction under section 211.031 because] the respondent is less than seventeen years of age, the court shall transfer the case to juvenile court for a hearing on a full order of protection. The court shall appoint a guardian ad litem for any such respondent not represented by a parent or guardian.

455.040. 1. Not later than fifteen days after the filing of a petition [pursuant to sections 455.010 to 455.085] **that meets the requirements of section 455.020**, a hearing shall be held unless the court deems, for good cause shown, that a continuance should be granted. At the hearing, if the petitioner has proved the allegation of abuse or stalking by a preponderance of the evidence, the court shall issue a full order of protection for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. Upon motion by the petitioner, and after a hearing by the court, the full order of protection may be renewed for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year from the expiration date of the originally issued full order of protection. The court may, upon finding that it is in the best interest of the parties, include a provision that any full order of protection for one year shall automatically renew unless the respondent requests a hearing by thirty days prior to the expiration of the order. If for good cause a hearing cannot be held on the motion to renew or the objection to an automatic renewal of the full order of protection prior to the expiration date of the originally issued full order of protection, an ex parte order of protection may be issued until a hearing is held on the motion. When an automatic renewal is not authorized, upon

motion by the petitioner, and after a hearing by the court, the second full order of protection may be renewed for an additional period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. For purposes of this subsection, a finding by the court of a subsequent act of abuse is not required for a renewal order of protection.

2. The court shall cause a copy of the petition and notice of the date set for the hearing on such petition and any ex parte order of protection to be served upon the respondent as provided by law or by any sheriff or police officer at least three days prior to such hearing. [Such notice shall be served at the earliest time, and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.] The court shall cause a copy of any full order of protection to be served upon or mailed by certified mail to the respondent at the respondent's last known address. **Notice of an ex parte or full order of protection shall be served at the earliest time and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.** Failure to serve or mail a copy of the full order of protection to the respondent shall not affect the validity or enforceability of a full order of protection.

3. A copy of any order of protection granted pursuant to sections 455.010 to 455.085 shall be issued to the petitioner and to the local law enforcement agency in the jurisdiction where the petitioner resides. The clerk shall also issue a copy of any order of protection to the local law enforcement agency responsible for maintaining the Missouri uniform law enforcement system or any other comparable law enforcement system the same day the order is granted. The law enforcement agency responsible for maintaining MULES shall, for purposes of verification, within twenty-four hours from the time the order is granted, enter information contained in the order including but not limited to any orders regarding child custody or visitation and all specifics as to times and dates of custody or visitation that are provided in the order. A notice of expiration or of termination of any order of protection or any change in child custody or visitation within that order shall be issued to the local law enforcement agency and to the law enforcement agency responsible for maintaining MULES or any other comparable law enforcement system. The law enforcement agency responsible for maintaining the applicable law enforcement system shall enter such information in the system within twenty-four hours of receipt of information evidencing such expiration or termination. The information contained in an order of protection may be entered in the Missouri uniform law enforcement system or comparable law enforcement system using a direct automated data transfer from the court automated system to the law enforcement system.

4. The court shall cause a copy of any objection filed by the respondent and notice of the date set for the hearing on such objection to an automatic renewal of a full order of protection for a period of one year to be personally served upon the petitioner by personal process server as provided by law or by a sheriff or police officer at least three days prior to such hearing. Such service of process shall be served at the earliest time and shall take priority over service in other actions except those of a similar emergency nature.

455.060. 1. After notice and hearing, the court may modify an order of protection at any time, upon subsequent motion filed by the guardian ad litem, the court-appointed special advocate or by either party together with an affidavit showing a change in circumstances sufficient to warrant the modification. All full orders of protection shall be final orders and appealable and shall be for a fixed period of time as provided in section 455.040.

2. Any order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate prior to the time fixed in the order upon the issuance of a subsequent order pursuant to chapter 452 or any other Missouri statute.

3. No order entered pursuant to sections 455.010 to 455.085 shall be res judicata to any subsequent proceeding, including, but not limited to, any action brought under chapter 452[, RSMo 1978, as amended].

4. All provisions of an order of protection shall terminate upon entry of a decree of dissolution of marriage or legal separation except as to those provisions which require the respondent to participate in a court-approved counseling program or enjoin the respondent from abusing, molesting, stalking or disturbing the peace of the petitioner and which enjoin the respondent from entering the premises of the dwelling unit of the petitioner as described in the order of protection when the petitioner continues to reside in that dwelling unit unless the respondent is awarded possession of the dwelling unit pursuant to a decree of dissolution of marriage or legal separation.

5. Any order of protection or order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate upon the order of the court granting a motion to terminate the order of protection by the petitioner. [The court shall set the motion to dismiss for hearing and both parties shall have an opportunity to be heard.] Prior to terminating any order of protection, the court may [examine the circumstances of the motion to dismiss and may] inquire of the petitioner or others **in camera** in order to [assist the court in determining if] **determine whether the** dismissal is voluntary.

6. The order of protection may not change the custody of children when an action for dissolution of marriage has been filed or the custody has previously been awarded by a court of competent jurisdiction.

455.085. 1. When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to abuse or assault, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information. Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

2. When a law enforcement officer has probable cause to believe that a party, against whom a protective order has been entered and who has notice of such order entered, has committed an act [of abuse] in violation of such order, the officer shall arrest the offending party-respondent whether or not the violation occurred in the presence of the arresting officer. Refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

3. When an officer makes an arrest he is not required to arrest two parties involved in an assault when both parties claim to have been assaulted. The arresting officer shall attempt to identify and shall arrest the party he believes is the primary physical aggressor. The term "primary physical aggressor" is defined as the most significant, rather than the first, aggressor. The law enforcement officer shall consider any or all of the following in determining the primary physical aggressor:

- (1) The intent of the law to protect victims [of domestic violence] from continuing [abuse] **domestic violence**;
- (2) The comparative extent of injuries inflicted or serious threats creating fear of physical injury;
- (3) The history of domestic violence between the persons involved.

No law enforcement officer investigating an incident of [family] **domestic violence** shall threaten the arrest of all parties for the purpose of discouraging requests or law enforcement intervention by any party. Where complaints are received from two or more opposing parties, the officer shall evaluate each complaint separately to determine whether he should seek a warrant for an arrest.

4. In an arrest in which a law enforcement officer acted in good faith reliance on this section, the arresting and assisting law enforcement officers and their employing entities and superiors shall be immune from liability in any civil action alleging false arrest, false imprisonment or malicious prosecution.

5. When a person against whom an order of protection has been entered fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

6. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

7. A violation of the terms and conditions, with regard to [abuse] **domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

8. A violation of the terms and conditions, with regard to [abuse] **domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of a full order of protection shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to

submission of the case to the jury. If the court finds the existence of such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if the law enforcement officer responding to a call of a reported incident of abuse or violation of an order of protection presented a copy of the order of protection to the respondent.

9. Good faith attempts to effect a reconciliation of a marriage shall not be deemed tampering with a witness or victim tampering under section 575.270.

10. Nothing in this section shall be interpreted as creating a private cause of action for damages to enforce the provisions set forth herein.

455.505. 1. An order of protection for a child who has been subject to domestic violence by a present or former [adult] household member or person stalking the child may be sought under sections 455.500 to 455.538 by the filing of a verified petition alleging such domestic violence by the respondent.

2. A child's right to relief under sections 455.500 to 455.538 shall not be affected by his leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.500 to 455.538 shall be effective throughout the state in all cities and counties.

455.513. 1. Upon the filing of a verified petition under sections 455.500 to 455.538, for good cause shown in the petition, and upon finding that no prior order regarding custody is pending or has been made or that the respondent is less than seventeen years of age, the court may immediately issue an ex parte order of protection. An immediate and present danger of [abuse] **domestic violence** to a child shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall be in effect until the time of the hearing. **The court shall deny the ex parte and dismiss the petition if the petitioner is not authorized to seek relief under section 455.505.**

2. Upon the entry of the ex parte order of protection, the court shall enter its order appointing a guardian ad litem or court-appointed special advocate to represent the child victim.

3. If the allegations in the petition would give rise to jurisdiction under section 211.031, the court may direct the children's division to conduct an investigation and to provide appropriate services. The division shall submit a written investigative report to the court and to the juvenile officer within thirty days of being ordered to do so. The report shall be made available to the parties and the guardian ad litem or court-appointed special advocate.

4. If [an ex parte order is entered and] the allegations in the petition would give rise to jurisdiction under section 211.031 because the respondent is less than seventeen years of age, the court **may issue an ex parte order** and shall transfer the case to juvenile court for a hearing on a full order of protection. Service of process shall be made pursuant to section 455.035.

455.523. 1. Any full order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence and may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

(1) Temporarily enjoining the respondent from abusing, threatening to abuse, molesting or disturbing the peace of the victim;

(2) Temporarily enjoining the respondent from entering the family home of the victim, except as specifically authorized by the court;

(3) Temporarily enjoining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court.

2. When the court has, after hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Award visitation;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the victim if the respondent is found to have a duty to support the victim or other dependent household members;

(6) Order the respondent to participate in a court-approved counseling program designed to help [child abusers] stop violent behavior or to treat substance abuse;

(7) Order the respondent to pay, to the extent that he or she is able, the costs of his or her treatment, together with the treatment costs incurred by the victim;

(8) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the victim by a shelter for victims of domestic violence.

455.538. 1. When a law enforcement officer has probable cause to believe that a party, against whom a protective order for a child has been entered, has committed an act of [abuse] **domestic violence** in violation of that order, he shall have the authority to arrest the respondent whether or not the violation occurred in the presence of the arresting officer.

2. When a person, against whom an order of protection for a child has been entered, fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

3. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

4. (1) Violation of the terms and conditions of an ex parte or full order of protection with regard to abuse, child custody, communication initiated by the respondent, or entrance upon the premises of the victim's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of which the respondent has notice, shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of a prior plea of guilty or finding of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of a prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

(2) For purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection for a child if the law enforcement officer responding to a call of a reported incident of abuse or violation of an order of protection for a child presents a copy of the order of protection to the respondent.

5. The fact that an act by a respondent is a violation of a valid order of protection for a child shall not preclude prosecution of the respondent for other crimes arising out of the incident in which the protection order is alleged to have been violated.”; and

Further amend said bill, Page 4, Section 513.653, Line 18, by inserting after all of said line the following:

“527.290. 1. Public notice of such a change of name shall be given at least three times in a newspaper published in the county where such person is residing, within twenty days after the order of court is made, and if no newspaper is published in his or any adjacent county, then such notice shall be given in a newspaper published in the City of St. Louis, or at the seat of government.

2. Public notice of such name change through publication as required in subsection 1 of this section shall not be required **and any system operated by the judiciary that is designed to provide public case information electronically shall not post the name change** if the petitioner is:

(1) The victim of a crime, the underlying factual basis of which is found by the court on the record to include an act of domestic violence, as defined in section 455.010;

(2) The victim of child abuse, as defined in section 210.110; or

(3) The victim of [abuse] **domestic violence** by a family or household member, as defined in section 455.010.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member [or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor], as defined in section 455.010 and:

(1) The person attempts to cause or recklessly causes physical injury to such family or household member; or

(2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or

(3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or

(5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1515, Section 610.205, Page 11, Lines 35 to 37, by removing all of said lines and inserting the following:

“to counsel representing a defendant. Counsel may disclose such”; and

Further amend said bill by amending the title, clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 2** was adopted.

Representative Haefner offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1515, Page 1, Section A, Line 5, by inserting after all of said section and line, the following:

“160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's

education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030;
- (6) Forcible sodomy under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) Sexual assault under section 566.040;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) Deviate sexual assault pursuant to section 566.070;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse pursuant to section 566.100;
- (24) Harassment under section 565.090; or
- (25) Stalking under section 565.225; committed on school property, including but not limited to actions on any

school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or
- (4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115,

such person and the superintendent of the school district shall [forward] **report** the allegation to the children's division [within twenty-four hours of receiving the information] **as set forth in section 210.115**. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the juvenile officer of the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the juvenile officer or a law enforcement officer designated by the juvenile officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by the juvenile officer or a law enforcement officer designated by the juvenile officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child

abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or juvenile officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

210.115. 1. When any physician, medical examiner, coroner, dentist, chiropractor, optometrist, podiatrist, resident, intern, nurse, hospital or clinic personnel that are engaged in the examination, care, treatment or research of persons, and any other health practitioner, psychologist, mental health professional, social worker, day care center worker or other child-care worker, juvenile officer, probation or parole officer, jail or detention center personnel, teacher, principal or other school official, minister as provided by section 352.400, peace officer or law enforcement official, or other person with responsibility for the care of children has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, that person shall immediately report [or cause a report to be made] to the division in accordance with the provisions of sections 210.109 to 210.183. As used in this section, the term "abuse" is not limited to abuse inflicted by a person responsible for the child's care, custody and control as specified in section 210.110, but shall also include abuse inflicted by any other person.

2. [Whenever such person is required to report pursuant to sections 210.109 to 210.183 in an official capacity as a staff member of a medical institution, school facility, or other agency, whether public or private, the person in charge or a designated agent shall be notified immediately. The person in charge or a designated agent shall then become responsible for immediately making or causing such report to be made to the division. Nothing in this section, however, is meant to preclude any person from reporting abuse or neglect] **When two or more persons who are required to report jointly have knowledge of a known or suspected instance of child abuse or neglect, a single report may be made by a member of the team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.**

3. **The reporting requirements under this section are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. No person making a report under this section shall be subject to any sanction for making such report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided such internal procedures are not inconsistent with this section.**

4. Notwithstanding any other provision of sections 210.109 to 210.183, any child who does not receive specified medical treatment by reason of the legitimate practice of the religious belief of the child's parents, guardian, or others legally responsible for the child, for that reason alone, shall not be found to be an abused or neglected child, and such parents, guardian or other persons legally responsible for the child shall not be entered into the central registry. However, the division may accept reports concerning such a child and may subsequently investigate or conduct a family assessment as a result of that report. Such an exception shall not limit the administrative or judicial authority of the state to ensure that medical services are provided to the child when the child's health requires it.

[4.] 5. In addition to those persons and officials required to report actual or suspected abuse or neglect, any other person may report in accordance with sections 210.109 to 210.183 if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect.

[5.] 6. Any person or official required to report pursuant to this section, including employees of the division, who has probable cause to suspect that a child who is or may be under the age of eighteen, who is eligible to receive a certificate of live birth, has died shall report that fact to the appropriate medical examiner or coroner. If, upon review of the circumstances and medical information, the medical examiner or coroner determines that the child died of natural causes while under medical care for an established natural disease, the coroner, medical examiner or physician shall notify the division of the child's death and that the child's attending physician shall be signing the death certificate. In all other cases, the medical examiner or coroner shall accept the report for investigation, shall immediately notify the division of the child's death as required in section 58.452 and shall report the findings to the child fatality review panel established pursuant to section 210.192.

[6.] 7. Any person or individual required to report may also report the suspicion of abuse or neglect to any law enforcement agency or juvenile office. Such report shall not, however, take the place of reporting [or causing a report to be made] to the division.

[7.] 8. If an individual required to report suspected instances of abuse or neglect pursuant to this section has reason to believe that the victim of such abuse or neglect is a resident of another state or was injured as a result of an act which occurred in another state, the person required to report such abuse or neglect may, in lieu of reporting to the Missouri division of family services, make such a report to the child protection agency of the other state with the authority to receive such reports pursuant to the laws of such other state. If such agency accepts the report, no report is required to be made, but may be made, to the [Missouri] division [of family services]."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Haefner, **House Amendment No. 3** was adopted.

Representative Cox offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1515, Page 4, Section 513.653, Line 18, by inserting after all of said line the following:

"558.019. 1. This section shall not be construed to affect the powers of the governor under article IV, section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, section 558.018 or section 571.015, which set minimum terms of sentences, or the provisions of section 559.115, relating to probation.

2. The provisions of subsections 2 to 5 of this section shall be applicable to all classes of felonies except those set forth in chapter 195, and those otherwise excluded in subsection 1 of this section. For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of an offender after sentencing. For purposes of this section, prior prison commitments to the department of corrections shall not include commitment to a regimented discipline program established pursuant to section 217.378. Other provisions of the law to the contrary notwithstanding, any offender who has pleaded guilty to or has been found guilty of a felony other than a dangerous felony as defined in section 556.061 and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the offender has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the offender must serve shall be forty percent of his or her sentence or until the offender attains seventy years of age, and has served at least thirty percent of the sentence imposed, whichever occurs first;

(2) If the offender has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be fifty percent of his or her sentence or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the offender has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be eighty percent of his or her sentence or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any offender who has pleaded guilty to or has been found guilty of a dangerous felony as defined in section 556.061 and is committed to the department of corrections shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for crimes committed at or near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the offender before he or she is eligible for parole, conditional release or other early release by the department of corrections.

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members shall be appointed to a four-year term. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for offenders convicted of the same or similar crimes and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor sentences are comparable to other states, if the length of the sentence is appropriate, and the rate of rehabilitation based on sentence. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) [The commission shall establish a system of recommended sentences, within the statutory minimum and maximum sentences provided by law for each felony committed under the laws of this state. This system of recommended sentences shall be distributed to all sentencing courts within the state of Missouri. The recommended sentence for each crime shall take into account, but not be limited to, the following factors:

- (a) The nature and severity of each offense;
- (b) The record of prior offenses by the offender;
- (c) The data gathered by the commission showing the duration and nature of sentences imposed for each crime;

and

(d) The resources of the department of corrections and other authorities to carry out the punishments that are imposed.

(4)] The commission shall study alternative sentences, prison work programs, work release, home-based incarceration, probation and parole options, and any other programs and report the feasibility of these options in Missouri.

[(5) The commission shall publish and distribute its recommendations on or before July 1, 2004. The commission shall study the implementation and use of the recommendations until July 1, 2005, and return a report to the governor, the speaker of the house of representatives, and the president pro tem of the senate. Following the July 1, 2005, report, the commission shall revise the recommended sentences every two years.

(6)] (4) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

[(7)] (5) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

[(8)] (6) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

7. Courts shall retain discretion to lower or exceed the sentence recommended by the commission as otherwise allowable by law, and to order restorative justice methods, when applicable.

8. If the imposition or execution of a sentence is suspended, the court may order any or all of the following restorative justice methods, or any other method that the court finds just or appropriate:

- (1) Restitution to any victim or a statutorily created fund for costs incurred as a result of the offender's actions;
- (2) Offender treatment programs;
- (3) Mandatory community service;
- (4) Work release programs in local facilities; and
- (5) Community-based residential and nonresidential programs.

9. The provisions of this section shall apply only to offenses occurring on or after August 28, 2003.

10. Pursuant to subdivision (1) of subsection 8 of this section, the court may order the assessment and payment of a designated amount of restitution to a county law enforcement restitution fund established by the county commission pursuant to section 50.565. Such contribution shall not exceed three hundred dollars for any charged offense. Any

restitution moneys deposited into the county law enforcement restitution fund pursuant to this section shall only be expended pursuant to the provisions of section 50.565.

11. A judge may order payment to a restitution fund only if such fund had been created by ordinance or resolution of a county of the state of Missouri prior to sentencing. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering a defendant to make payment.

12. A defendant who fails to make a payment to a county law enforcement restitution fund may not have his or her probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.

13. Nothing in this section shall be construed to allow the sentencing advisory commission to issue recommended sentences in specific cases pending in the courts of this state.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative Elmer offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1515, Page 10, Section 575.080, Line 18, by inserting after all of said section and line, the following:

“610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.

As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions

shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, [2012] **2016**;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(d) This exception shall sunset on December 31, [2012] **2016**;

(20) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(21) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public

governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

(22) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 5** was adopted.

Representative Black offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1515, Page 4, Section 513.653, Line 18, by inserting after all of said section and line, the following:

“544.456. 1. This section shall be known and may be cited as "Sam Pratt's Law".

2. In any case involving abuse, neglect, or death of a child, any court with competent jurisdiction may impose as a condition of release of a defendant under section 544.455 that such defendant be prohibited from providing child care services for compensation pending final disposition of the case.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 6** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Jones 63
Kander	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 024

Carter	Colona	Flanigan	Franklin	Franz
Funderburk	Gatschenberger	Higdon	Holsman	Hughes
Hummel	Jones 117	Kelly 24	Klippenstein	Long
McNary	Meadows	Nasheed	Nolte	Pollock
Richardson	Schatz	Schneider	Wells	

On motion of Representative Schad, **HCS HB 1515, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 1515, as amended**, was ordered perfected and printed.

HCS HB 1608, relating to unfunded and obsolete programs, was taken up by Representative White.

Representative Sater offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1608, Pages 3-4, Section 198.087, Lines 1-37, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 4, Section 198.527, Line 9, by placing an opening bracket “[“ immediately before the phrase “the Missouri”; and

Further amend said bill, page, section, and line, by placing a closing bracket “]” immediately after the phrase “process, and”; and

Further amend said bill, page, and section, Lines 18-26, by deleting all of said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

On motion of Representative White, **HCS HB 1608, as amended**, was adopted.

On motion of Representative White, **HCS HB 1608, as amended**, was ordered perfected and printed.

HB 1066, relating to unemployment compensation, was taken up by Representative McGhee.

On motion of Representative McGhee, **HB 1066** was ordered perfected and printed.

HB 1109, relating to federal holidays, was taken up by Representative Brattin.

Representative Brattin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1109, Page 1, Section 9.015, Line 3, by inserting after the word “**holiday**.” on said line the following:

“This shall not be construed to limit the ability of a state or local governmental entity, public building, public park, public school, or public setting or place from restricting the use of fireworks.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Frederick	Fuhr	Gosen	Guernsey
Haefner	Hampton	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Nance	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Jones 63	Kander	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Colona	Flanigan	Franz	Funderburk	Gatschenberger
Grisamore	Higdon	Hinson	Hubbard	Hummel
Kelly 24	Klippenstein	McNary	Nasheed	Neth
Pollock	Schatz	Schneider	Wells	

On motion of Representative Brattin, **HB 1109, as amended**, was ordered perfected and printed.

HCS HB 1110, relating to veterans treatment courts, was taken up by Representative Barnes.

Representative Fuhr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1110, Page 3, Section 478.008, Line 19, by inserting after the phrase “**or modified.**” on said line, the phrase “**This subsection shall not apply to any veterans treatment court participant who has previously had the charges, petition, or penalty dismissed, reduced, or modified under the provisions of this subsection.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 1** was adopted.

On motion of Representative Barnes, **HCS HB 1110, as amended**, was adopted.

On motion of Representative Barnes, **HCS HB 1110, as amended**, was ordered perfected and printed.

HCS HB 1789, relating to student travel hardships, was taken up by Representative Schad.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Elmer	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Jones 63	Kander	Kirkton	Lampe	May
McCann Beatty	McCreery	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 024

Berry	Colona	Day	Denison	Entlicher
Franz	Funderburk	Holsman	Hughes	Hummel
Kelly 24	Klippenstein	Kratky	McDonald	McManus
McNary	Nolte	Parkinson	Pollock	Sater
Scharnhorst	Schatz	Schieffer	Wells	

On motion of Representative Schad, **HCS HB 1789** was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kirkton	Koenig	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	Neth	Parkinson	Pollock
Reiboldt	Richardson	Riddle	Ruzicka	Schad
Scharnhorst	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 065

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Grisamore	Harris	Hodges	Holsman	Hubbard
Jones 63	Kander	Kelley 126	Kratky	Lampe
Largent	Lasater	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Rizzo
Rowland	Schieber	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Franz	Funderburk	Hughes	Hummel
Kelly 24	Klippenstein	McNary	Nasheed	Nolte
Sater	Schatz	Schieffer		

On motion of Representative Schad, **HCS HB 1789** was ordered perfected and printed.

HB 1273, relating to school bus advertisement, was taken up by Representative Kelley (126).

Representative Webber offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1273, Page 2, Section 171.400, Line 15, by inserting after all said line the following:

"2. Notwithstanding any provision of this section or any other law to the contrary, no advertising shall be permitted on any new school bus purchased after January 1, 2015, unless such bus is also equipped with passenger safety belts for each student. This prohibition on advertising shall not apply to any school bus purchased prior to such date."; and

Further amend said bill, Page 2, Section 171.400, Line 16, by deleting "2." and inserting in lieu thereof "3."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Webber moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Hubbard	Jones 63	Jones 117	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Scharnhorst	Schupp	Shively	Sifton
Silvey	Smith 71	Spreng	Still	Talboy
Taylor	Walton Gray	Webb	Webber	Mr Speaker

NOES: 099

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schieber	Schneider	Schoeller	Smith 150	Solon

Sommer	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 014

Colona	Denison	Dieckhaus	Franz	Funderburk
Holsman	Hughes	Hummel	Kelly 24	Klippenstein
Nolte	Schatz	Schieffer	Shumake	

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Jones 63
Kander	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 018

Bahr	Colona	Denison	Franklin	Franz
Funderburk	Holsman	Hubbard	Hughes	Hummel
Jones 117	Kelly 24	Klippenstein	May	Nolte
Schatz	Schieffer	White		

On motion of Representative Kelley (126), **HB 1273** was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 52 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 80 - Veterans
HJR 87 - Elections
HJR 90 - Elementary and Secondary Education
HJR 91 - General Laws
HJR 92 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1403 - Fiscal Review
HCS HB 1515 - Fiscal Review
HCS HB 1640 - Fiscal Review
HB 1727 - Ways and Means
HB 1883 - Crime Prevention and Public Safety
HB 1913 - Special Standing Committee on Disability Services
HB 1915 - Crime Prevention and Public Safety
HB 1961 - Insurance Policy
HB 1970 - Judiciary
HB 1983 - International Trade and Job Creation
HB 1989 - General Laws
HB 1990 - Health Care Policy
HB 1997 - Elementary and Secondary Education
HB 2029 - General Laws
HB 2030 - General Laws
HB 2033 - Economic Development
HB 2034 - Economic Development
HB 2044 - Economic Development
HB 2046 - General Laws

HB 2057 - Workforce Development and Workplace Safety
HB 2058 - Transportation
HB 2059 - Local Government
HB 2063 - Transportation
HB 2078 - Children and Families
HB 2079 - Elementary and Secondary Education
HB 2081 - Crime Prevention and Public Safety
HB 2099 - Workforce Development and Workplace Safety
HB 2109 - Elections

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SS#2 SJR 48 - Special Standing Committee on Judicial Reform

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SBs 489 & 637 - General Laws
SCS SB 591 - General Laws
SS SCS SB 592 - Workforce Development and Workplace Safety
SS SB 607 - Transportation
SS SB 781 - Local Government

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2019**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1592**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1709**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1710**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1779**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 89**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 18

WHEREAS, there are currently more than 105,000 people waiting for an organ donation, with the largest waiting group being persons 18 to 49 years of age; and

WHEREAS, more than 7,000 people die each year due to the lack of organs, with an average of 18 people dying each day while on the waiting list for an organ donation; and

WHEREAS, approximately 30,000 people a year have begun new lives thanks to an organ transplant; and

WHEREAS, organs and tissue from a single nonliving donor can be used to benefit more than 50 people. Living donors can donate a kidney and parts of their liver, lung, pancreas, or intestine, and can be evaluated to help a friend, family member, or even donate anonymously to patients of the wait list; and

WHEREAS, raising and promoting awareness and information about the need for organ and tissue donors and encouraging people to become an organ donor and tissue donor is vitally important to increase the number of lives saved and changed for the better through organ donation; and

WHEREAS, every person must be advised of their option to donate an organ. By focusing on education and donor awareness, every person can be informed on the need for organ donors; and

WHEREAS, the following excerpt is from "To Remember Me - I Will Live Forever", written by American Poet Robert Noel Test (1926 - 1994):

"...And don't call this my deathbed. Let it be called the bed of life, and let my body be taken from it to help others lead fuller lives.

Give my sight to the man who has never seen a sunrise, a baby's face or love in the eyes of a woman.

Give my heart to a person whose own heart has caused nothing but endless days of pain.

Give my blood to the teenager who was pulled from the wreckage of his car, so that he might live to see his grandchildren play.

Give my kidneys to the one who depends on a machine to exist from week to week.

Take my bones, every muscle, every fiber and nerve in my body and find a way to make a crippled child walk. Explore every corner of my brain.

Take my cells, if necessary, and let them grow so that, someday a speechless boy will shout at the crack of a bat and a deaf girl will hear the sound of rain against her window..."; and

WHEREAS, public awareness of the great need for organ donation is the key to increasing the number of organ donors and thereby saving lives and improving the quality of life for recipients of organ donation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate April 2012 as "Donate Life Month" in Missouri.

BE IT FURTHER RESOLVED that the General Assembly encourages and recommends that people of the State of Missouri observe Organ Donor Life Month through activities which will increase awareness of organ donation and the need for organ donors.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 655**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1328**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 46

WHEREAS, Ameren Missouri owns and manages the Lake of the Ozarks, Bagnell Dam, and Osage hydroelectric plant under its license from the Federal Energy Regulatory Commission (FERC); and

WHEREAS, under its license agreement, Ameren Missouri was required to develop a shoreline management plan, which was submitted to FERC in 2008; and

WHEREAS, FERC regulations require that only land needed for the dam's operation, recreation, shoreline control, and environmental protection be included in the boundary; and

WHEREAS, Lake area residents and visitors enjoy a wide range of recreational activities and opportunities on lakefront property, including a 17,441 acre playground just south of Osage Beach; and

WHEREAS, Lake of the Ozarks State Park is Missouri's largest park with over 85 miles of shoreline and two public beaches, plus boat launching areas; and

WHEREAS, with the significant role that recreational activities play in the economic well-being of the Lake region, the current lakefront access enjoyed by residents, businesses, and visitors is vital to the financial viability and growth of the Lake of the Ozarks; and

WHEREAS, on July 26, 2011, FERC issued its order modifying and approving the shoreline management plan. In its order, FERC required Ameren Missouri to file for FERC approval a detailed report to each nonconforming structure and encroachment and Ameren Missouri's proposed course of action; and

WHEREAS, FERC did not demand or otherwise require any of the nonconforming structures be removed. On August 25, 2011, Ameren Missouri requested that FERC allow them to revise the project boundary to exclude those properties that were not needed to serve the purpose of the project; and

WHEREAS, Ameren Missouri requested that for those properties located within the current project boundary, where Ameren Missouri owns property in fee, upon which a residential dwelling has been built either in whole or in part, Ameren Missouri would redraw the project boundary to exclude the property, subject to certain conditions, such as environmental assessments, one-time fees, and legal surveys; and

WHEREAS, FERC clarified its position and specifically stated that "Nothing in the SMP, the July 26 Order or in this order has any impact on property rights. Whatever rights entities have in lands within the boundaries of the Osage Project - whether conferred by deed, lease, easement, or other conveyance - have not been and will not be altered by action in these proceedings. This Commission has no jurisdiction to rule on property rights, which are matters of state law."; and

WHEREAS, FERC did not approve the request to make homeowner's pay for legal surveys or the request for the payment of a one-time fee from the homeowners; and

WHEREAS, as part of the creation of the project boundary, Union Electric Land and Development Company reserved an easement to all of the lands that became the Lake of the Ozarks. For approximately 60 years thereafter, Union Electric allowed unrestricted access with little or no permits required; and

WHEREAS, developers and property owners acted in relation to that easement without question, with the common understanding that if land adjoining the lake was purchased, access to the water came with such property; and

WHEREAS, on January 31, 2012, Ameren Missouri filed its amended shoreline management plan with FERC which included a new project boundary for approval. Ameren Missouri says the new plan will ensure that most, but not all, of the 1,600 homes along the Lake of the Ozarks shoreline are not threatened with removal; and

WHEREAS, Ameren Missouri's new shoreline management plan revises the shoreline boundary so that most of the homes are no longer encroaching onto land that is part of the Bagnell Dam hydroelectric project; and

WHEREAS, banks and real estate companies in the Lake area warned that removal of homes and other structures would damage an already fragile real estate market; and

WHEREAS, the Missouri General Assembly is sensitive to the important nature of these issues for the property owners, citizens, and businesses; and

WHEREAS, hoping to end months of anxiety and confusion, to provide certainty, and to facilitate a swift resolution between FERC, Ameren Missouri, and the affected property owners, the Missouri General Assembly urges FERC and Ameren Missouri to cooperate and coordinate the proposed shoreline management plan with local government and the affected property owners; and

WHEREAS, coordination works because most federal agencies are specifically directed by Congress to work with local governments through this process before implementing policies or plans that will impact the local community; and

WHEREAS, given the impact of these important property questions on real estate transactions within the Lake of the Ozarks region, these property issues must be resolved with the utmost diligence; and

WHEREAS, since there is sufficient time prior to FERC's deadline for submission of a revised shoreline management plan in June 2012, Ameren Missouri should work with local government and the affected property owners to ensure that under the amended shoreline management plan no property owners in the affected areas will lose their homes or businesses:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urges Ameren Missouri, the Federal Energy Regulatory Commission, and the affected property owners to cooperate in coordinating a swift resolution to the shoreline management plan project at the Lake of the Ozarks that respects the rights of property owners under Missouri law; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Ameren Missouri and the Federal Energy Regulatory Commission.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HJR 85**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 28**.

SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, the State of Missouri first adopted the Missouri Criminal Code in 1977 to create a cohesive body of criminal law to be published in one portion of the Revised Statutes of Missouri; and

WHEREAS, the Code now lacks the cohesiveness it was created to embody after more than three decades of criminal statutes being enacted outside of the Missouri Criminal Code and non-criminal statutes being added to the Code; and

WHEREAS, the statutes enacted over the years include duplicative and conflicting criminal laws and inconsistent penalties; and

WHEREAS, some of these laws, in practice, have not had the intended effect of serving practitioners of criminal law and victims of crimes; and

WHEREAS, the Missouri Bar Association has spent four years developing recommendations for improving the Missouri Criminal Code, making the Code more cohesive and consistent, and repealing duplicative and conflicting provisions; and

WHEREAS, the recommendations of the Missouri Bar Association encompass more than 700 sections of law; and

WHEREAS, the General Assembly understands the importance and immensity of reviewing the recommendations and developing a plan to revise the Missouri Criminal Code:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Committee on the Missouri Criminal Code; and

BE IT FURTHER RESOLVED that the Committee shall be composed of two majority party members to be appointed by the President Pro Tempore of the Senate and one minority party member to be appointed by the Minority Leader of the Senate, and two majority party members to be appointed by the Speaker of the House of Representatives, and one minority party member to be appointed by the Minority Leader of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive review of the Missouri Criminal Code and the Missouri Bar Associations recommendations, examine any other issues that the Committee deems relevant, and make any recommendations for improving the cohesiveness, consistency, and effectiveness of the state's criminal laws; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the actual expenses of the Joint Committee, its members, and any staff assigned to the Joint Committee incurred by the Joint Committee shall be paid by the Joint Contingency Fund; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to begin its work beginning on the adoption of this resolution and continue during the legislative interim between the Second Regular Session of the Ninety-sixth General Assembly and the First Regular Session of the Ninety-seventh General Assembly through December 31, 2012, as authorized by *State v. Atterbury*, 300 S.W. 2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by November 15, 2012, and the authority of such Committee shall terminate on November 14, 2012.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Schatz.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, April 5, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Steve Hodges, District 161, hereby state and affirm that my presence as recorded on Page 873 of the Journal of the House for Monday, April 2, 2012, was not properly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, and my absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of April 2012.

/s/ Steve Hodges
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 4th day of April in the year 2012.

/s/ Megan Limbach
Notary Public

I, State Representative Donna Lichtenegger, District 157, hereby state and affirm that my vote as recorded on Page 881 of the Journal of the House for Tuesday, April 3, 2012, by which House Bill No. 1403, as amended, was ordered perfected and printed, was incorrectly recorded as No. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Present. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of April 2012.

/s/ Donna Lichtenegger
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 4th day of April in the year 2012.

/s/ Leticia J. Long
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 5, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HB 1895
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, April 10, 2012, 2:00 PM House Hearing Room 6.
Executive session will be held: HB 1254
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 5, 2012, 9:00 AM House Hearing Room 4.
Executive session will be held: HJR 42, HB 1900, SS SCS SB 467, SS SCS SB 469

FINANCIAL INSTITUTIONS

Wednesday, April 11, 2012, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 1844, SCS SB 635, SCS SB 726

Executive session will be held: HB 1844, SCS SB 635, SCS SB 726

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 5, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Thursday, April 5, 2012, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Thursday, April 5, 2012, 9:30 AM North Gallery.

Executive session will be held: SCS SB 563

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, April 5, 2012, 9:40 AM House Hearing Room 6.

Executive session will be held: HCR 6, HCS HCR 33, HCR 53, HCS HB 1274, HCS HB 1305, HCS#2 HB 1323, HB 1359, HCS HB 1476, HCS HB 1490, HCS HB 1521, HCS HB 1854, HCS HB 1794, HCS HB 1865, HCS HBs 1934 & 1654, HCS HB 1367

Executive session may be held on any or all bills which have been referred to this committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 5, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 49, HB 1752

Executive session will be held: HB 1795

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 5, 2012, 9:45 AM South Gallery.

Executive session will be held: HB 1836

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SECOND DAY, THURSDAY, APRIL 5, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 47 - Dugger
- 2 HJR 49 - Brattin
- 3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HCS HB 1134 - Scharnhorst
- 4 HCS HB 1549 - Richardson
- 5 HCS HB 1717 - Kelley (126)
- 6 HCS HB 1256 - Diehl
- 7 HCS HB 1211 - Dieckhaus
- 8 HCS HB 1364 - Schieffer
- 9 HCS HB 1383 - Cox
- 10 HCS HB 1444 - Smith (150)
- 11 HCS HB 1458 - Hinson
- 12 HB 1534 - Bahr
- 13 HB 1540 - Jones (89)
- 14 HCS HBs 1574 & 1097 - Meadows
- 15 HCS HB 1661 - Hoskins
- 16 HCS HB 1826 - Fitzwater
- 17 HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1403, (Fiscal Review 4/4/12), E.C. - Schatz
- 5 HCS HB 1060 - Dugger
- 6 HCS HB 1361 - Pollock
- 7 HCS HB 1111 - Gosen
- 8 HCS HB 1150 - Smith (150)
- 9 HB 1691 - Dugger
- 10 HCS HB 1640, (Fiscal Review 4/4/12) - Denison
- 11 HCS HB 1272 - Kelley (126)

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- 12 HCS HB 1515, (Fiscal Review 4/4/12) - Schad
- 13 HCS HB 1608 - White
- 14 HB 1066 - McGhee
- 15 HB 1109 - Brattin
- 16 HCS HB 1110 - Barnes
- 17 HCS HB 1789 - Schad
- 18 HB 1273 - Kelley (126)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7 - Rowland
- 2 HCR 31 - Schieffer
- 3 HCR 36 - Asbury
- 4 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-SECOND DAY, THURSDAY, APRIL 5, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the peacemakers: for they shall be called children of God. (Matthew 5:9)

O God, we know that by ourselves we are not adequate for this day, nor are we ready for our responsibilities, nor are we equal to our experiences. By Your grace we can become adequate, by Your spirit we can be made ready, and by Your presence we can be equal to every experience.

As we wait upon You in prayer, reveal Yourself anew to us, and come into our hearts. Then with new peace, greater power, and with better perspective may we serve our state well this day and all days. Help us, the representatives of our people, to see clearly, to choose wisely, and to act courageously, that we may be among the true peacemakers of our time.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Students from the Agape Boarding School, Stockton, Missouri, sang "The Star-Spangled Banner."

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jermond L. Mosley, Lauren Sullivan, Mazie Patek, Michael Higdon, Kierston Higdon and Kelsey Johnston.

The Journal of the fifty-first day was approved as printed.

HOUSE RESOLUTION

Representative Wyatt, et al., offered House Resolution No. 1773.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1730 through House Resolution No. 1772

House Resolution No. 1774 through House Resolution No. 1781

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1110 - Fiscal Review

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1110**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1403**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1515**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1640**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 1789, relating to student travel hardships, was taken up by Representative Schad.

Representative Conway (14) assumed the Chair.

On motion of Representative Schad, **HCS HB 1789** was read the third time and passed by the following vote:

AYES: 085

Allen	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Carter	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Flanigan	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Lair	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Nasheed	Neth	Nolte
Pollock	Richardson	Riddle	Schad	Schneider
Schoeller	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Webb
Weter	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 072

Anders	Asbury	Atkins	Aull	Brown 50
Carlson	Casey	Colona	Conway 27	Davis
Ellington	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Grisamore	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander
Kratky	Lampe	Largent	Lasater	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Molendorp	Montecillo	Morgan
Nance	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Rizzo	Rowland	Ruzicka	Sater	Schieber
Schieffer	Schupp	Shively	Shumake	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	Wells
White	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Klippenstein	Meadows	Parkinson	Scharnhorst
Schatz				

Representative Conway (14) declared the bill passed.

HCS HB 1060, relating to elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1060** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream

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Swearingen	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 035

Aull	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kirkton	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Smith 71	Spreng
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Higdon	Klippenstein	Meadows	Schatz
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Representative Conway (14) declared the bill passed.

HCS HB 1361, relating to utilities, was taken up by Representative Pollock.

Representative Silvey assumed the Chair.

On motion of Representative Pollock, **HCS HB 1361** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 116	Carlson	Carter	Casey
Cauthorn	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Grisamore	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	May	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Montecillo	Morgan	Nance	Neth	Nichols
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger

Talboy	Thomson	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 033

Bahr	Brown 85	Burlison	Cierpiot	Colona
Conway 14	Cox	Ellington	Fuhr	Gosen
Haefner	Hughes	Jones 89	Kirkton	Koenig
Korman	Leara	Marshall	McCaherty	McCreery
McGeoghegan	Meadows	Molendorp	Nasheed	Newman
Nolte	Oxford	Parkinson	Scharnhorst	Schupp
Sifton	Torpey	White		

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Day	Dieckhaus	Funderburk	Klippenstein
Schatz	Taylor			

Representative Silvey declared the bill passed.

HCS HB 1111, relating to abandoned towed vehicles, was taken up by Representative Gosen.

On motion of Representative Gosen, **HCS HB 1111** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71

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Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 001

May

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Colona	Day	Dieckhaus	Diehl
Funderburk	Higdon	Hodges	Hughes	Jones 117
Klippenstein	Richardson	Schatz	Spreng	Mr Speaker

Representative Silvey declared the bill passed.

HCS HB 1150, relating to salvage motor vehicles, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1150** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	Wieland	Wright
Wyatt	Zerr			

NOES: 001

May

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Day	Dieckhaus	Diehl	Funderburk
Higdon	Hughes	Jones 117	Klippenstein	Nolte
Richardson	Riddle	Schatz	White	Mr Speaker

Representative Silvey declared the bill passed.

HB 1691, relating to salvage dealers, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1691** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	

NOES: 002

May Webb

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 016

Day	Dieckhaus	Diehl	Ellington	Funderburk
Hodges	Jones 117	Klippenstein	Nolte	Richardson
Schatz	Schneider	Shumake	Spreng	Wright
Mr Speaker				

Representative Silvey declared the bill passed.

HCS HB 1640, relating to motor vehicles, was taken up by Representative Denison.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Berry
Brandon	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Bernskoetter	Colona	Day	Dieckhaus	Diehl
Ellington	Funderburk	Klippenstein	McGhee	Richardson
Sater	Schatz	Schneider	Wells	Mr Speaker

On motion of Representative Denison, **HCS HB 1640** was read the third time and passed by the following vote:

AYES: 082

Atkins	Aull	Barnes	Black	Brandom
Brown 50	Brown 116	Carter	Casey	Cauthorn
Conway 27	Cookson	Crawford	Davis	Denison
Diehl	Dugger	Entlicher	Fallert	Fisher
Fraker	Franklin	Franz	Gatschenberger	Grisamore
Haefner	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Jones 63
Jones 117	Kelly 24	Korman	Kratky	Lair
Lampe	Lant	Lauer	Long	McGhee
McNeil	Meadows	Molendorp	Montecillo	Nasheed
Neth	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Scharnhorst
Schieffer	Shumake	Silvey	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Wallingford	Webb	Weter
Wright	Mr Speaker			

NOES: 068

Allen	Anders	Asbury	Bahr	Berry
Brattin	Brown 85	Burlison	Carlson	Cierpiot
Conway 14	Cox	Curtman	Ellinger	Flanigan
Frederick	Fuhr	Gosen	Guernsey	Hampton
Harris	Higdon	Hinson	Jones 89	Kander
Keeney	Kelley 126	Kirkton	Koenig	Largent
Lasater	Leach	Leara	Lichtenegger	Loehner
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	Morgan
Nance	Newman	Oxford	Quinn	Rizzo
Schad	Schieber	Schneider	Schoeller	Schupp
Shively	Sifton	Smith 71	Smith 150	Sommer
Torpey	Walton Gray	Webber	Wells	White
Wieland	Wyatt	Zerr		

PRESENT: 002

Ellington	Johnson
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ABSENT WITH LEAVE: 011

Bernskoetter	Colona	Cross	Day	Dieckhaus
Elmer	Fitzwater	Funderburk	Klippenstein	Sater
Schatz				

Representative Silvey declared the bill passed.

Representative Hoskins assumed the Chair.

HCS HB 1515, relating to crimes and criminal procedures, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 1515** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Molendorp	Nance	Nasheed	Neth	Newman
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 010

Carlson	Ellinger	Ellington	Fitzwater	May
Montecillo	Morgan	Oxford	Smith 71	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Day	Dieckhaus	Funderburk	Hughes
Klippenstein	McGhee	Nichols	Nolte	Pollock
Schatz	Spreng	Wells		

Representative Hoskins declared the bill passed.

HCS HB 1608, relating to unfunded and obsolete programs, was taken up by Representative White.

On motion of Representative White, **HCS HB 1608** was read the third time and passed by the following vote:

AYES: 103

Allen	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Koenig	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nichols	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 044

Anders	Aull	Carlson	Casey	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Oxford	Pace	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 016

Carter	Colona	Cross	Day	Dieckhaus
Entlicher	Fitzwater	Funderburk	Higdon	Hughes
Klippenstein	Nolte	Pierson	Schatz	Webb
Mr Speaker				

Representative Hoskins declared the bill passed.

HB 1109, relating to federal holidays, was taken up by Representative Brattin.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Denison
Diehl	Elmer	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schoeller	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Colona	Cross	Day	Dieckhaus
Dugger	Entlicher	Funderburk	Higdon	Hughes
Klippenstein	Nolte	Pierson	Schatz	Schneider
Silvey	Webb			

On motion of Representative Brattin, **HB 1109** was read the third time and passed by the following vote:

AYES: 115

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Denison
Diehl	Ellington	Elmer	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 031

Anders	Atkins	Carlson	Ellinger	Holsman
Hubbard	Hummel	Jones 63	Kelly 24	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Schupp	Smith 71
Spreng	Still	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Colona	Cross	Day	Dieckhaus
Dugger	Entlicher	Flanigan	Funderburk	Gatschenberger
Hughes	Kirkton	Klippenstein	Nolte	Pierson
Schatz	Webb			

Representative Hoskins declared the bill passed.

HCS HB 1110, relating to veterans treatment courts, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCS HB 1110** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Ellinger	Ellington	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Kelly 24

PRESENT: 000

ABSENT WITH LEAVE: 013

Carter	Colona	Day	Dieckhaus	Dugger
Entlicher	Funderburk	Hughes	Klippenstein	Nolte
Pierson	Schatz	Webb		

Representative Hoskins declared the bill passed.

HB 1273, relating to school bus advertisements, was taken up by Representative Kelley (126).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Elmer	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 020

Carter	Colona	Day	Dieckhaus	Diehl
Dugger	Entlicher	Funderburk	Gatschenberger	Guernsey
Hughes	Klippenstein	Nolte	Pierson	Richardson
Schatz	Schneider	Wallingford	Webb	Mr Speaker

On motion of Representative Kelley (126), **HB 1273** was read the third time and passed by the following vote:

AYES: 083

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Elmer
Fallert	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Higdon
Hoskins	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McGhee	McNary
Molendorp	Nasheed	Neth	Parkinson	Reiboldt
Richardson	Riddle	Ruzicka	Sater	Schad
Scharnhorst	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Taylor	Torpey	Wallingford	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 065

Asbury	Bernskoetter	Carlson	Casey	Cauthorn
Conway 14	Ellinger	Ellington	Fisher	Fitzwater
Fuhr	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hough	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lair	Lampe	Lasater	Leara	Marshall
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nance
Newman	Nichols	Oxford	Pace	Phillips
Pollock	Quinn	Redmon	Rizzo	Rowland
Schieber	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Talboy	Thomson
Walton Gray	Webber	Wells	Weter	Wright

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Colona	Day	Dieckhaus	Dugger
Entlicher	Funderburk	Guernsey	Hughes	Klippenstein
Nolte	Pierson	Schatz	Schneider	Webb

Representative Hoskins declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1461 - Local Government

HB 1980 - Higher Education

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1049**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1818**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1935**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1966**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 562**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 563**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1815**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 49

WHEREAS, on February 16, 2012, the United States Environmental Protection Agency (EPA) promulgated its Mercury and Air Toxics Standards regulation for coal-fueled and oil-fueled electric generating plants; and

WHEREAS, EPA's own analyses show that the Mercury and Air Toxics Standards regulation is the single most expensive rule ever imposed by EPA on the electric power sector at a cost of \$9.6 billion per year by 2016 and a total cost of \$90 billion; and

WHEREAS, billions of dollars in compliance and other costs, including the construction of new power plants to replace plants forced to retire prematurely, resulting from the Mercury and Air Toxics Standards regulation will be passed on to residential, commercial, and industrial electricity consumers; and

WHEREAS, these unprecedented costs will increase the price of electricity and other types of energy at a time when families and businesses are struggling to cope with higher energy prices and job losses; and

WHEREAS, federal government data show that the average family in Missouri has already been forced to double its spending on energy over the past decade and that lower-income, fixed-income, and minority families in Missouri are harmed the most by higher energy prices; and

WHEREAS, the manufacturing sector nationwide has lost 5.5 million jobs since 2000, or 32% of its workforce, the sector's global competitiveness depends on affordable and reliable energy; and

WHEREAS, EPA has not provided an estimate of job losses that will be caused by the regulation, even though many analyses project that EPA regulations will cause higher energy prices and premature retirement of coal-fired power plants, resulting in financial hardship to consumers and further erosion of United States manufacturing jobs; and

WHEREAS, federal, state, and regional officials, public utility commissioners, regional electric reliability organizations, electricity generators, and manufacturing companies have expressed concerns that EPA regulations threaten the reliability of our nation's electric power grid; and

WHEREAS, coal-fueled power plants have already invested nearly \$100 billion to meet clean air requirements and these investments have reduced emissions of major air pollutants by nearly 90% per kilowatt-hour of electricity generated; and

WHEREAS, the Missouri General Assembly supports improvements in air quality to protect the health of our citizens and the quality of our environment, and believes that such improvements can be made within a sensible time frame and at a reasonable cost; and

WHEREAS, the highest economic priority by federal, state, and local governments at the present time should be to support policies that stimulate economic growth and create jobs and to avoid policies that unnecessarily increase energy prices, hurt families, and cause job losses:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby calls on the United States Congress to adopt S.J.Res. 37, disapproving the Mercury and Air Toxics Standards regulation because of the unprecedented economic impacts of such regulation, and to ensure that EPA replaces it with a sensible regulation that achieves reductions in mercury emissions without unnecessary increases in energy prices, job losses, and threats to electric reliability; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1795**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 53**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1274**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1323**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1359**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1367**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1476**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1490**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1490**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1521**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1794**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1865**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 566**, entitled:

An act to amend chapter 322, RSMo, by adding thereto one new section relating to vaccination of dogs and cats against rabies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 631**, entitled:

An act to repeal section 276.401, RSMo, and to enact in lieu thereof one new section relating to grain purchases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 673**, entitled:

An act to repeal sections 302.130 and 302.132, RSMo, and to enact in lieu thereof two new sections relating to temporary motor vehicle instruction permits, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 692**, entitled:

An act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for decreasing county budgets.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 715**, entitled:

An act to repeal sections 40.435 and 41.050, RSMo, and to enact in lieu thereof one new section relating to the state militia.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 721**, entitled:

An act to repeal section 99.825, RSMo, and to enact in lieu thereof one new section relating to tax increment financing in certain counties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 727**, entitled:

An act to repeal section 208.044, RSMo, and to enact in lieu thereof two new sections relating to child care subsidies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 729**, entitled:

An act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to county purchases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 813**, entitled:

An act to repeal section 67.085, RSMo, and to enact in lieu thereof one new section relating to the investment of certain public funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 856**, entitled:

An act to amend chapter 287, RSMo, by adding thereto one new section relating to the Missouri Employers Mutual Insurance Company.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 911**, entitled:

An act to repeal section 407.1355, RSMo, and to enact in lieu thereof one new section relating to employee social security numbers.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Tuesday, April 10, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Tuesday, April 10, 2012, 3:00 PM South Gallery.

Executive session may be held on any matter referred to the committee.

Executive session - policy procedures

AGRICULTURE POLICY

Tuesday, April 10, 2012, 2:00 PM House Hearing Room 6.

Executive session will be held: HB 1254

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, April 11, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 2028, HB 2078, HCR 50

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Tuesday, April 10, 2012, Upon Afternoon Adjournment House Hearing Room 2.

Executive session will be held: SS SCS SB 469

CORRECTED

ECONOMIC DEVELOPMENT

Tuesday, April 10, 2012, Upon Afternoon Adjournment House Hearing Room 3.

Public hearing will be held: HB 2033, HB 2034

Executive session may be held on any matter referred to the committee.

Dinner to follow hearing at 120 E High Street

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 11, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 2027

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, April 11, 2012, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 1844, SCS SB 635, SCS SB 726

Executive session will be held: HB 1844, SCS SB 635, SCS SB 726

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, April 10, 2012, 2:00 PM House Hearing Room 1.

Public hearing will be held: SCS SB 591, SS SCS SBs 489 & 637, HCR 43, HCR 52, HB 1998

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH CARE POLICY

Wednesday, April 11, 2012, 12:00 PM House Hearing Room 6.

Executive session will be held: HB 1490

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 11, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 781, HB 2059, HB 1760, HB 1676, HB 1461

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS

Tuesday, April 10, 2012, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 1766

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Wednesday, April 11, 2012, 8:30 AM House Hearing Room 3.

Public hearing will be held: SS#2 SJR 48, HJR 82

Executive session may be held on any matter referred to the committee.

Possible executive session

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, April 10, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 6.

Executive session will be held: HB 1809

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 10, 2012, 2:00 PM House Hearing Room 7.

Public hearing will be held: SS SB 607, HB 2100, HB 2058, HB 2063

Executive session may be held on any matter referred to the committee.

AMENDED

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, April 10, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.

Executive session will be held: HB 1213, HB 1788

Executive session may be held on any matter referred to the committee.

AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, April 10, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 2099, SS SCS SB 592, HB 1240

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-THIRD DAY, TUESDAY, APRIL 10, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 47 - Dugger
- 2 HJR 49 - Brattin
- 3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HCS HB 1134 - Scharnhorst
- 4 HCS HB 1549 - Richardson
- 5 HCS HB 1717 - Kelley (126)
- 6 HCS HB 1256 - Diehl
- 7 HCS HB 1211 - Dieckhaus
- 8 HCS HB 1364 - Schieffer
- 9 HCS HB 1383 - Cox
- 10 HCS HB 1444 - Smith (150)
- 11 HCS HB 1458 - Hinson
- 12 HB 1534 - Bahr
- 13 HB 1540 - Jones (89)
- 14 HCS HBs 1574 & 1097 - Meadows
- 15 HCS HB 1661 - Hoskins
- 16 HCS HB 1826 - Fitzwater
- 17 HCS HB 1860 - Guernsey

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 53 - Schoeller

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1403, E.C. - Schatz
- 5 HCS HB 1272 - Kelley (126)
- 6 HB 1066 - McGhee

SENATE BILLS FOR SECOND READING

- 1 SCS SB 566 - Brown
- 2 SCS SB 631 - Parson
- 3 SCS SB 673 - Brown
- 4 SCS SB 692 - Stouffer
- 5 SCS SB 715 - Kraus
- 6 SB 721 - Rupp
- 7 SS SB 727 - Schaaf
- 8 SCS SB 729 - Schaefer
- 9 SB 813 - Richard
- 10 SCS SB 856 - Rupp
- 11 SB 911 - Ridgeway

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7 - Rowland
- 2 HCR 31 - Schieffer
- 3 HCR 36 - Asbury
- 4 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-THIRD DAY, TUESDAY, APRIL 10, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Marilyn Seaton, Senior Legislative Specialist.

Let us pray.

Do not judge, so that you in turn may not be judged. For you will be judged in the same way that you judge others. (Matthew 7:1-2)

O Lord, let us curb our desire to judge others. Help us to turn our judgments upon ourselves so that we may receive a favorable judgment from You. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Parker Jones and Addison Long.

The Journal of the fifty-second day was approved as printed.

HOUSE RESOLUTION

Representative Burlison, et al., offered House Resolution No. 1880.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1782 through House Resolution No. 1879

SECOND READING OF SENATE BILLS

SCS SB 566, SCS SB 631, SCS SB 673, SCS SB 692, SCS SB 715, SB 721, SS SB 727, SCS SB 729, SB 813, SCS SB 856 and SB 911 were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTIONS

HCS HJR 47, relating to initiative and referendum petitions, was taken up by Representative Dugger.

Representative Hoskins assumed the Chair.

On motion of Representative Dugger, **HCS HJR 47** was adopted.

On motion of Representative Dugger, **HCS HJR 47** was ordered perfected and printed.

HJR 49, relating to the right to bear arms, was taken up by Representative Brattin.

On motion of Representative Brattin, **HJR 49** was ordered perfected and printed by the following vote:

AYES: 121

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 031

Brown 50	Carlson	Carter	Colona	Ellinger
Holsman	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Funderburk	Hughes	Jones 117	Korman
Lasater	Swearingen	Talboy	Webb	Webber
Mr Speaker				

PERFECTION OF HOUSE BILL

HCS HB 1256, relating to judicial procedures, was taken up by Representative Diehl.

HCS HB 1256 was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 71, relating to a property tax exemption for active-duty military personnel, was taken up by Representative Elmer.

On motion of Representative Elmer, **HJR 71** was ordered perfected and printed.

HOUSE CONCURRENT RESOLUTIONS

HCR 7, relating to the Tenth Amendment, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCR 7** was adopted.

HCR 36, relating to economic development projects between the United States and Israel, was taken up by Representative Asbury.

On motion of Representative Asbury, **HCR 36** was adopted.

HCR 42, relating to children's hearing rights, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCR 42** was adopted.

HCR 31, relating to flood control, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HCR 31** was adopted.

HOUSE RESOLUTION

HR 677, relating to the "Lee McKinney Coaches vs. Cancer Game," was taken up by Representative Hinson.

On motion of Representative Hinson, **HR 677** was adopted.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 2068 - Elementary and Secondary Education

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 28 - Rules

COMMITTEE REPORTS

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1213**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1342**, begs leave to report it has examined the same and recommends that it **Do Pass**.

The following members' presence was noted: Jones (117), Swearingen and Webber.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 11, 2012.

COMMITTEE MEETINGS

CHILDREN AND FAMILIES

Wednesday, April 11, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 2028, HB 2078, HCR 50

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Thursday, April 12, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1614, HB 1838

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 11, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1883, HB 1896, HB 1232

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 11, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 2027

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, April 11, 2012, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 1844, SCS SB 635, SCS SB 726

Executive session will be held: HB 1844, SCS SB 635, SCS SB 726

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 12, 2012, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

CORRECTED

HEALTH CARE POLICY

Wednesday, April 11, 2012, 12:00 PM House Hearing Room 6.

Executive session will be held: HB 1490

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Thursday, April 12, 2012, 8:30 AM House Hearing Room 3.

Public hearing will be held: HB 1745

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 11, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1224, HB 1983

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, April 11, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1914, HB 1970, HB 1500

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 11, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 781, HB 2059, HB 1760, HB 1676, HB 1461

Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 11, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1371

Executive session may be held on any matter referred to the committee.

Discussion will be held on the HCS for HB 1371.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Wednesday, April 11, 2012, 8:30 AM House Hearing Room 3.

Public hearing will be held: SS#2 SJR 48, HJR 82

Executive session may be held on any matter referred to the committee.

Possible executive session

TOURISM AND NATURAL RESOURCES

Thursday, April 12, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HB 1778, HB 1863, HB 1813

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 12, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1944, HB 1954, HB 1727

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 11, 2012

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HCS HB 1134 - Scharnhorst
- 4 HCS HB 1549 - Richardson
- 5 HCS HB 1717 - Kelley (126)
- 6 HCS HB 1256 - Diehl
- 7 HCS HB 1211 - Dieckhaus
- 8 HCS HB 1364 - Schieffer
- 9 HCS HB 1383 - Cox
- 10 HCS HB 1444 - Smith (150)
- 11 HCS HB 1458 - Hinson
- 12 HB 1534 - Bahr
- 13 HB 1540 - Jones (89)
- 14 HCS HBs 1574 & 1097 - Meadows
- 15 HCS HB 1661 - Hoskins
- 16 HCS HB 1826 - Fitzwater
- 17 HCS HB 1860 - Guernsey
- 18 HB 1455 - Gatschenberger

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 53 - Schoeller

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1403, E.C. - Schatz
- 5 HCS HB 1272 - Kelley (126)
- 6 HB 1066 - McGhee

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 11, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Rejoice, and be exceedingly glad: for you are the salt of the earth. (Matthew 5:12, 13)

O God, Who is above us yet within us, far off yet very near - nearer than breathing and closer than hands and feet - we bow in Your presence with hearts filled with gratitude because You have been so wonderfully good to us.

We are what we are and we have what we have not because we deserve them, but because Your goodness has blessed our days, and Your spirit has led us along the way.

We thank You for these men and women, our representatives who are giving themselves in real and deep devotion to our state, who are seeking to put justice above injustice, and good will above ill will, principle above prejudice and liberty above license. May they continue to have the courage of their convictions and in these crucial days fail not us nor You.

Bless our state with Your favor and our leaders of this House with Your spirit. Together may we be channels for peace and for prosperity.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-third day was approved as printed.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Thomas Smith, Michael Smith, Madison Cunningham, McKenna Cunningham, Carter Cunningham, Maddie Baker, Brayden Baker, Kayley Suderman, Jacob Suderman and Anna Dittmer.

SPECIAL RECOGNITION

Members of the Hannibal Convention and Visitors Bureau were introduced by Representative Shumake and presented a resolution recognizing Hannibal native Molly Brown as an Outstanding Missourian.

THIRD READING OF HOUSE BILLS

HB 1403, relating to workers' compensation, was taken up by Representative Schatz.

On motion of Representative Schatz, **HB 1403** was read the third time and passed by the following vote:

AYES: 092

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leara
Loehner	Long	McCaherty	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 056

Anders	Atkins	Aull	Barnes	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Marshall	May	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Silvey	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Wieland				

PRESENT: 001

Lichtenegger

ABSENT WITH LEAVE: 014

Berry	Funderburk	Higdon	Hughes	Jones 117
Leach	McCann Beatty	McGhee	Meadows	Smith 71
Swinger	Webb	Webber	Weter	

Speaker Tilley declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 090

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leara
Loehner	Long	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Zerr	Mr Speaker

NOES: 063

Anders	Atkins	Aull	Barnes	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Lasater	Leach	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Silvey	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Wieland	Wyatt		

PRESENT: 001

Lichtenegger

ABSENT WITH LEAVE: 009

Funderburk	Higdon	Hughes	Jones 117	Quinn
Redmon	Swinger	Webb	Webber	

HCS HB 1272, relating to actions and damages against jails, was taken up by Representative Kelley (126).

Representative Smith (150) assumed the Chair.

On motion of Representative Kelley (126), **HCS HB 1272** was read the third time and passed by the following vote:

AYES: 086

Allen	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schoeller
Shumake	Smith 150	Sommer	Stream	Thomson
Wallingford	Wells	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 067

Anders	Asbury	Atkins	Aull	Brown 50
Carlson	Carter	Colona	Conway 27	Curtman
Day	Ellinger	Ellington	Frederick	Fuhr
Harris	Higdon	Hodges	Holsman	Hubbard
Hummel	Johnson	Jones 63	Kander	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	Lauer
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schneider	Schupp	Shively	Sifton
Smith 71	Solon	Spreng	Still	Swearingen
Talboy	Taylor	Torpey	Walton Gray	Webber
Weter	White			

PRESENT: 001

Silvey

ABSENT WITH LEAVE: 009

Brown 116	Elmer	Funderburk	Hughes	Lasater
Rowland	Swinger	Webb	Zerr	

Representative Smith (150) declared the bill passed.

Speaker Tilley resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1134, relating to insurance coverage, was taken up by Representative Scharnhorst.

Representative McNeil offered **House Amendment No. 1**.

Representative Cierpiot raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HCS HB 1134 was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1881 through House Resolution No. 1984

HOUSE CONCURRENT RESOLUTION

Representative McNary, et al., offered House Concurrent Resolution No. 57.

PERFECTION OF HOUSE BILLS

HCS HB 1134, relating to insurance coverage, was again taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HCS HB 1134** was adopted.

On motion of Representative Scharnhorst, **HCS HB 1134** was ordered perfected and printed.

HCS HB 1256, relating to judicial procedures, was taken up by Representative Diehl.

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1256, Page 4, Section 67.2010, Line 16, by inserting after all of said line the following:

“195.222. 1. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver,

manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

2. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

3. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than [two] **twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than [two] **twenty eight** grams but less than [six] **two hundred eighty** grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is [six] **two hundred eighty** grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

4. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one gram or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

5. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

6. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is twelve grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

7. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty kilograms of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

8. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

9. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he or she distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

195.223. 1. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

2. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be guilty of a class B felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be guilty of a class A felony.

3. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than **[two] twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than **[two] twenty eight** grams but less than **[six] two hundred eighty** grams the person shall be guilty of a class B felony;

(2) If the quantity involved is **[six] two hundred eighty** grams or more the person shall be guilty of a class A felony.

4. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be guilty of a class B felony;

(2) If the quantity involved is one gram or more the person shall be guilty of a class A felony.

5. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

6. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be guilty of a class B felony;

(2) If the quantity involved is twelve grams or more the person shall be guilty of a class A felony.

7. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty kilograms or more of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be guilty of a class B felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be guilty of a class A felony.

8. A person commits the class A felony of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred marijuana plants.

9. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.

10. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he or she possesses or has under his or her control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1** was adopted.

Representative Jones (117) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1256, Page 1, Section A, Line 8, by inserting after all of said section and line the following:

“32.056. The department of revenue shall not release the home address **of** or any [other] information [contained in the department's motor vehicle or driver registration records regarding] **that identifies any vehicle owned or leased by** any person who is a county, state or federal parole officer [or who is], a federal pretrial officer [or who is], a peace officer pursuant to section [590.100] **590.010, a person vested by Article V, Section 1 of the Missouri Constitution with the judicial power of the state, a member of the federal judiciary,** or a member of [the parole officer's, pretrial officer's or peace officer's] **such person's** immediate family **contained in the department's motor vehicle or driver registration records,** based on a specific request for such information from any person. Any **such** person [who is a county, state or federal parole officer or who is a federal pretrial officer or who is a peace officer pursuant to section 590.100] may notify the department of [such] **his or her** status and the department shall protect the confidentiality of the **home address and vehicle** records on such a person and his or her immediate family as required by this section. **If such member of the judiciary's status changes and he or she and his or her immediate family do not qualify for the exemption contained in this subsection, such person shall notify the department and the department's records shall be revised.** This section shall not prohibit the department from releasing information on a motor registration list pursuant to section 32.055 or from releasing information on any officer who holds a class A, B or C commercial driver's license pursuant to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 2** was adopted.

Representative Cox offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1256, Page 4, Section 210.567, Line 28, by inserting after the phrase “**embarrass any person**” on said line, the phrase “, **nor shall it contain any information that is otherwise closed, confidential, or privileged**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

Representative Leara assumed the Chair.

On motion of Representative Cox, **House Amendment No. 3** was adopted.

Representative Cauthorn offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1256, Page 26, Section 488.5320, Line 46, by inserting after all of said line the following:

"488.5375. Upon a plea of guilty or a finding of guilt for a felony sexual offense in which computers, computer equipment, computer devices, cellular telephones, or other electronic devices were seized, the court may, in addition to imposition of any penalties provided by law, order the defendant to reimburse the state or local law enforcement agency for the costs incurred by such agency in the examination of any computer, computer equipment, computer devices, cellular telephones, or other electronic devices seized. Such costs shall include the reasonable costs of performing examinations of the seized electronic devices. Each law enforcement agency may establish a schedule of such costs; except that, the court may order the costs reduced if the court determines that the costs are excessive."; and

Further amend said bill, Page 31, Section 537.528, Line 31, by inserting after all of said line the following:

"542.301. 1. Property which comes into the custody of an officer or of a court as the result of any seizure and which has not been forfeited pursuant to any other provisions of law or returned to the claimant shall be disposed of as follows:

(1) Stolen property, or property acquired in any other manner declared an offense by chapters 569 and 570, but not including any of the property referred to in subdivision (2) of this subsection, shall be delivered by order of court upon claim having been made and established, to the person who is entitled to possession:

(a) The claim shall be made by written motion filed with the court with which a motion to suppress has been, or may be, filed. The claim shall be barred if not made within one year from the date of the seizure;

(b) Upon the filing of such motion, the judge shall order notice to be given to all persons interested in the property, including other claimants and the person from whose possession the property was seized, of the time, place and nature of the hearing to be held on the motion. The notice shall be given in a manner reasonably calculated to reach the attention of all interested persons. Notice may be given to unknown persons and to persons whose address is unknown by publication in a newspaper of general circulation in the county. No property shall be delivered to any claimant unless all interested persons have been given a reasonable opportunity to appear and to be heard;

(c) After a hearing, the judge shall order the property delivered to the person or persons entitled to possession, if any. The judge may direct that delivery of property required as evidence in a criminal proceeding shall be postponed until the need no longer exists;

(d) A law enforcement officer having custody of seized property may, at any time that seized property has ceased to be useful as evidence, request that the prosecuting attorney of the county in which property was seized file a motion with the court of such county for the disposition of the seized property. If the prosecuting attorney does not file such motion within sixty days of the request by the law enforcement officer having custody of the seized property, then such officer may request that the attorney general file a written motion with the circuit court of the county or judicial district in which the seizure occurred. Upon filing of the motion, the court shall issue an order directing the disposition of the property. Such disposition may, if the property is not claimed within one year from the date of the seizure or if no one establishes a right to it, and the seized property has ceased to be useful as evidence, include a public sale of the property. Pursuant to a motion properly filed and granted under this section, the proceeds of any sale, less necessary expenses of preservation and sale, shall be paid into the county treasury for the use of the county. If the property is not salable, the judge may order its destruction. Notwithstanding any other provision of law, if no claim is filed within one year of the seizure and no motion pursuant to this section is filed within six months thereafter, and the seized property has ceased to be useful as evidence, the property shall be deemed abandoned, converted to cash and shall be turned over immediately to the treasurer pursuant to section 447.543;

(e) If the property is a living animal or is perishable, the judge may, at any time, order it sold at public sale. The proceeds shall be held in lieu of the property. A written description of the property sold shall be filed with the judge making the order of sale so that the claimant may identify the property. If the proceeds are not claimed within the time limited for the claim of the property, the proceeds shall be paid into the county treasury. If the property is not salable, the judge may order its destruction.

(2) Weapons, tools, devices, **computers, computer equipment, computer software, computer hardware, cellular telephones, or other devices capable of accessing the internet**, and substances other than motor vehicles, aircraft or watercraft, used by the owner or with the owner's consent as a means for committing felonies other than the offense of possessing burglary tools in violation of section 569.180, and property, the possession of which is an offense

under the laws of this state or which has been used by the owner, or used with the owner's acquiescence or consent, as a raw material or as an instrument to manufacture [or], produce, **or distribute, or be used as a means of storage of** anything the possession of which is an offense under the laws of this state, or which any statute authorizes or directs to be seized, other than lawfully possessed weapons seized by an officer incident to an arrest, shall be forfeited to the state of Missouri.

2. The officer who has custody of the property shall inform the prosecuting attorney of the fact of seizure and of the nature of the property. The prosecuting attorney shall thereupon file a written motion with the court with which the motion to suppress has been, or may be, filed praying for an order directing the forfeiture of the property. If the prosecuting attorney of a county in which property is seized fails to file a motion with the court for the disposition of the seized property within sixty days of the request by a law enforcement officer, the officer having custody of the seized property may request the attorney general to file a written motion with the circuit court of the county or judicial district in which the seizure occurred. Upon filing of the motion, the court shall issue an order directing the disposition of the property. The signed motion shall be returned to the requesting agency. A motion may also be filed by any person claiming the right to possession of the property praying that the court declare the property not subject to forfeiture and order it delivered to the moving party.

3. Upon the filing of a motion either by the prosecuting attorney or by a claimant, the judge shall order notice to be given to all persons interested in the property, including the person out of whose possession the property was seized and any lienors, of the time, place and nature of the hearing to be held on the motion. The notice shall be given in a manner reasonably calculated to reach the attention of all interested persons. Notice may be given to unknown persons and to persons of unknown address by publication in a newspaper of general circulation in the county. Every interested person shall be given a reasonable opportunity to appear and to be heard as to the nature of the person's claim to the property and upon the issue of whether or not it is subject to forfeiture.

4. If the evidence is clear and convincing that the property in issue is in fact of a kind subject to forfeiture under this subsection, the judge shall declare it forfeited and order its destruction or sale. The judge shall direct that the destruction or sale of property needed as evidence in a criminal proceeding shall be postponed until this need no longer exists.

5. If the forfeited property can be put to a lawful use, it may be ordered sold after any alterations which are necessary to adapt it to a lawful use have been made. **In the case of computers, computer equipment, computer software, computer hardware, cellular telephones, or other devices capable of accessing the internet, or other devices used in the acquisition, possession, or distribution of child pornography or obscene material, the law enforcement agency in possession of such items may, upon court order, retain possession of such property and convert such property to the use of the law enforcement agency for use in criminal investigations.** If there is a holder of a bona fide lien against property which has been used as a means for committing an offense or which has been used as a raw material or as an instrument to manufacture or produce anything which is an offense to possess, who establishes that the use was without the lienholder's acquiescence or consent, the proceeds, less necessary expenses of preservation and sale, shall be paid to the lienholder to the amount of the lienholder's lien. The remaining amount shall be paid into the county treasury.

6. If the property is perishable the judge may order it sold at a public sale or destroyed, as may be appropriate, prior to a hearing. The proceeds of a sale, less necessary expenses of preservation and sale, shall be held in lieu of the property.

7. When a warrant has been issued to search for and seize allegedly obscene matter for forfeiture to the state, after an adversary hearing, the judge, upon return of the warrant with the matter seized, shall give notice of the fact to the prosecuting attorney of the county in which the matter was seized and the dealer, exhibitor or displayer and shall conduct further adversary proceedings to determine whether the matter is subject to forfeiture. If the evidence is clear and convincing that the matter is obscene as defined by law and it was being held or displayed for sale, exhibition, distribution or circulation to the public, the judge shall declare it to be obscene and forfeited to the state and order its destruction or other disposition; except that, no forfeiture shall be declared without the dealer, distributor or displayer being given a reasonable opportunity to appear in opposition and without the judge having thoroughly examined each item. If the material to be seized is the same as or another copy of matter that has already been determined to be obscene in a criminal proceeding against the dealer, exhibitor, displayer or such person's agent, the determination of obscenity in the criminal proceeding shall constitute clear and convincing evidence that the matter to be forfeited pursuant to this subsection is obscene. Except when the dealer, exhibitor or displayer consents to a longer period, or by such person's actions or pleadings willfully prevents the prompt resolution of the hearing, judgment shall be rendered within ten days of the return of the warrant. If the matter is not found to be obscene or is not found to have been held or displayed for sale, exhibition or distribution to the public, or a judgment is not entered within the time provided for, the matter shall be restored forthwith to the dealer, exhibitor or displayer.

8. If an appeal is taken by the dealer, exhibitor or displayer from an adverse judgment, the case should be assigned for hearing at the earliest practicable date and expedited in every way. Destruction or disposition of a matter declared forfeited shall be postponed until the judgment has become final by exhaustion of appeal, or by expiration of the time for appeal, and until the matter is no longer needed as evidence in a criminal proceeding.

9. A determination of obscenity, pursuant to this subsection, shall not be admissible in any criminal proceeding against any person or corporation for sale or possession of obscene matter; except that dealer, distributor or displayer from which the obscene matter was seized for forfeiture to the state.

10. When allegedly obscene matter or pornographic material for minors has been seized under a search warrant issued pursuant to subsection 2 of section 542.281 and the matter is no longer needed as evidence in a criminal proceeding the prosecuting attorney of the county in which the matter was seized may file a written motion with the circuit court of the county or judicial district in which the seizure occurred praying for an order directing the forfeiture of the matter. Upon filing of the motion, the court shall set a date for a hearing. Written notice of date, time, place and nature of the hearing shall be personally served upon the owner, dealer, exhibitor, displayer or such person's agent. Such notice shall be served no less than five days before the hearing.

11. If the evidence is clear and convincing that the matter is obscene as defined by law, and that the obscene material was being held or displayed for sale, exhibition, distribution or circulation to the public or that the matter is pornographic for minors and that the pornographic material was being held or displayed for sale, exhibition, distribution or circulation to minors, the judge shall declare it to be obscene or pornographic for minors and forfeited to the state and order its destruction or other disposition. A determination that the matter is obscene in a criminal proceeding as well as a determination that such obscene material was held or displayed for sale, exhibition, distribution or circulation to the public or a determination that the matter is pornographic for minors in a criminal proceeding as well as a determination that such pornographic material was held or displayed for sale, exhibition, distribution or circulation to minors shall be clear and convincing evidence that such material should be forfeited to the state; except that, no forfeiture shall be declared without the dealer, distributor or displayer being given a reasonable opportunity to appear in opposition and without a judge having thoroughly examined each item. A dealer, distributor or displayer shall have had reasonable opportunity to appear in opposition if the matter the prosecutor seeks to destroy is the same matter that formed the basis of a criminal proceeding against the dealer, distributor or displayer where the dealer, distributor or displayer has been charged and found guilty of holding or displaying for sale, exhibiting, distributing or circulating obscene material to the public or pornographic material for minors to minors. If the matter is not found to be obscene, or if obscene material is not found to have been held or displayed for sale, exhibition, distribution or circulation to the public, or if the matter is not found to be pornographic for minors or if pornographic material is not found to have been held or displayed for sale, exhibition, distribution or circulation to minors, the matter shall be restored forthwith to the dealer, exhibitor or displayer.

12. If an appeal is taken by the dealer, exhibitor or displayer from an adverse judgment, the case shall be assigned for hearing at the earliest practicable date and expedited in every way. Destruction or disposition of matter declared forfeited shall be postponed until the judgment has become final by exhaustion of appeal, or by expiration of the time for appeal, and until the matter is no longer needed as evidence in a criminal proceeding.

13. A determination of obscenity shall not be admissible in any criminal proceeding against any person or corporation for sale or possession of obscene matter.

14. An appeal by any party shall be allowed from the judgment of the court as in other civil actions.

15. All other property still in the custody of an officer or of a court as the result of any seizure and which has not been forfeited pursuant to this section or any other provision of law after three years following the seizure and which has ceased to be useful as evidence shall be deemed abandoned, converted to cash and shall be turned over immediately to the treasurer pursuant to section 447.543.

16. In fiscal year 2003, the commissioner of administration shall estimate the amount of any additional state revenue received pursuant to this section and section 447.532, shall transfer an equivalent amount of general revenue to the schools of the future fund created in section 163.005."; and

Further amend said bill, Page 36, Section 559.105, Line 28, by inserting after all of said line the following:

"566.083. 1. A person commits the crime of sexual misconduct involving a child if [the] **such** person:

(1) Knowingly exposes his or her genitals to a child less than fifteen years of age under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child;

(2) Knowingly exposes his or her genitals to a child less than fifteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; or

(3) Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals **or breasts of a female child** for the purpose of arousing or gratifying the sexual desire of any person, including the child.

2. The provisions of this section shall apply regardless of whether the person violates [the] **this** section in person or via the Internet or other electronic means.

3. It is not an affirmative defense to prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.

4. Sexual misconduct involving a child or attempted sexual misconduct involving a child is a class D felony unless the actor has previously pleaded guilty to or been found guilty of an offense pursuant to this chapter or the actor has previously pleaded guilty to or has been convicted of an offense against the laws of another state or jurisdiction which would constitute an offense under this chapter, in which case it is a class C felony.

566.151. 1. A person at least twenty-one years of age or older commits the crime of enticement of a child **in the first degree** if that person persuades, solicits, coaxes, entices, or lures whether by words, actions or through communication via the Internet or any electronic communication, any person who is less than fifteen years of age for the purpose of engaging in sexual conduct.

2. It is not an affirmative defense to a prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.

3. Enticement of a child or an attempt to commit enticement of a child **in the first degree** is a felony for which the authorized term of imprisonment shall be not less than five years and not more than thirty years. No person convicted under this section shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Still offered **House Amendment No. 1 to House Amendment No. 4.**

House Amendment No. 1 to House Amendment No. 4 was withdrawn.

Representative Still offered **House Amendment No. 2 to House Amendment No. 4.**

*House Amendment No. 2
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 1256, Page 7, Line 16, by inserting after all the word, “years.” the following:

“566.152. 1. A person at least twenty-one years of age or older commits the crime of enticement of a child in the second degree if that person persuades, solicits, coaxes, entices, or lures whether by words, actions or through communication via the internet or any electronic communication, any person who is at least fifteen years of age but less than seventeen years of age for the purpose of engaging in sexual conduct.

2. It is not an affirmative defense to a prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.

3. Enticement of a child or an attempt to commit enticement of a child in the second degree is a class D felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Still moved that **House Amendment No. 2 to House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 077

Anders	Atkins	Aull	Barnes	Black
Brandom	Brattin	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Cookson	Ellinger
Ellington	Fallert	Frederick	Gosen	Hampton
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Jones 89	Kander	Kelly 24	Kirkton
Kratky	Lampe	Largent	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Riddle	Rizzo	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 71	Smith 150	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Wieland	Wyatt			

NOES: 077

Asbury	Bahr	Bernskoetter	Berry	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Grisamore
Guernsey	Haefner	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Schatz	Solon	Thomson
Wallingford	Wells	Weter	White	Wright
Zerr	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Day	Funderburk	Hughes	Nolte
Pollock	Redmon	Shumake	Webb	

Representative Fuhr offered **House Amendment No. 3 to House Amendment No. 4.**

House Amendment No. 3
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 1256, Page 6, Lines 28-31, by deleting all of said lines and inserting in lieu thereof the following:

“purpose of arousing or gratifying the sexual desire of any person, including the child; [or]
(3) Knowingly coerces or induces a child less than fifteen years of age to expose the child’s genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child; **or**
(4) **Knowingly coerces or induces a child who is known by such person to be less than fifteen years of age to expose the breasts of a female child through the Internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 3 to House Amendment No. 4** was adopted by the following vote:

AYES: 154

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake

Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Curtman	Day	Funderburk	Hughes
Redmon	Spreng	Webb	Mr Speaker	

On motion of Representative Cauthorn, **House Amendment No. 4, as amended**, was adopted.

Representative Cox offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1256, Page 25, Section 488.426, Line 20, by inserting after all of said line the following:

“488.2250. For all transcripts of testimony given or proceedings had in any circuit court **in cases where an appeal is taken**, the court reporter shall receive the sum of [two dollars] **three dollars and fifty cents** per twenty-five-line page for the original **and up to three copies** of the transcript, and the sum of [thirty-five cents] **fifty cents** per twenty-five-line page for each [carbon] **additional** copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter's fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three **paper or electronic** transcripts in duplication of the notes of the evidence, for the original **and up to three copies of the transcript** [of which] the court reporter shall receive **the sum of** two dollars **and sixty cents** per legal page [and for the copies] **and the sum of** twenty cents per page **for each additional copy thereof**. The payment of court reporter's fees provided in this section shall be made by the state upon a voucher approved by the court. **An electronic version of all transcripts mentioned herein shall be provided. All copies shall be provided by a Court Reporter certified by the Missouri Supreme Court.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 5** was adopted.

Representative Elmer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1256, Page 27, Section 513.430, Line 37, by removing the opening and closing brackets around the word “local”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 6** was adopted.

Representative Diehl offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1256, Page 19, Section 456.8-808, Lines 89-95, by removing all of said lines and inserting in lieu thereof the following:

“7. If a trust protector is granted a power in the trust instrument to direct, consent to, or disapprove a trustee’s actual or proposed investment decision, distribution decision, or other decision of the trustee required to be performed under applicable trust law in carrying out the duties of the trustee in administering the trust, then only with respect to such power, excluding the powers identified in subsection 3 of this section, the trust protector shall have the same duties and liabilities as if serving as a trustee under the trust instrument.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 7** was adopted.

Representative McCaherty offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1256, Page 36, Section 559.105, Line 28, by inserting after all of said line the following:

“569.100. 1. A person commits the crime of property damage in the first degree if **such person:**
(1) [He] Knowingly damages property of another to an extent exceeding seven hundred and fifty dollars; or
(2) [He] Damages property to an extent exceeding one thousand dollars for the purpose of defrauding an insurer;
or
(3) **Knowingly damages a motor vehicle of another and the damage occurs while such person is making entry into the motor vehicle for the purpose of committing the crime of stealing therein or the damage occurs while such person is committing the crime of stealing within the motor vehicle.**
2. Property damage in the first degree **committed under subdivision (1) or (2) of subsection 1 of this section** is a class D felony. **Property damage in the first degree committed under subdivision (3) of subsection 1 of this section is a class C felony unless committed as a second or subsequent violation of subdivision (3) of subsection 1 of this section in which case it is a class B felony.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 8** was adopted.

Representative Lant offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 1256, Page 1, In the Title, Line 5, by deleting the word "thirty-two" and inserting in lieu thereof the word "thirty-three"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word "thirty-two" and inserting in lieu thereof the word "thirty-three"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting after the word "sections" the section number "21.771,"; and

Further amend said bill, Page 1, Section A, Line 8, by inserting after all of said line the following:

"21.771. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on Child Abuse and Neglect" to be composed of seven members of the senate and seven members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and minority floor leader of the senate and the house members shall be appointed by the speaker and minority floor leader of the house of representatives. The appointment of each member shall continue during the member's term of office as a member of the general assembly or until a successor has been appointed to fill the member's place. No party shall be represented by more than four members from the house of representatives nor more than four members from the senate.

A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

2. The joint committee shall:

(1) Make a continuing study and analysis of the state child abuse and neglect reporting and investigation system;

(2) Devise a plan for improving the structured decisionmaking regarding the removal of a child from a home;

(3) Determine the additional personnel and resources necessary to adequately protect the children of this state and improve their welfare and the welfare of families;

(4) Address the need for additional foster care homes and to improve the quality of care provided to abused and neglected children in the custody of the state;

(5) Determine from its study and analysis the need for changes in statutory law; and

(6) Make any other recommendation to the general assembly necessary to provide adequate protections for the children of our state.

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. The chairperson shall alternate between members of the house and senate every two years after the committee's organization.

4. The committee shall meet at least quarterly. The committee may meet at locations other than Jefferson City when the committee deems it necessary.

5. The committee shall be staffed by legislative personnel as is deemed necessary to assist the committee in the performance of its duties.

6. The members of the committee shall serve without compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.

7. It shall be the duty of the committee to compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than the fifteenth of January of each year in which the general assembly convenes in regular session and shall include any recommendations which the committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state or local government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state or local government agencies or departments included in the report.

8. The provisions of this section shall expire on January 15, 2018."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lant, **House Amendment No. 9** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandon	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wyatt	Zerr		

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Curtman	Day	Franklin	Funderburk
Gosen	Higdon	Hughes	Long	McNary
Pace	Pollock	Webb	Weter	Wright
Mr Speaker				

On motion of Representative Diehl, **HCS HB 1256, as amended**, was adopted.

On motion of Representative Diehl, **HCS HB 1256, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 53, relating to a revised summary statement for Senate Joint Resolution No. 2, was taken up by Representative Schoeller.

On motion of Representative Schoeller, **HCR 53** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Hughes	McNary	Schad	Webb
Weter				

Representative Leara declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 1383, relating to the Missouri Accountability Portal, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1383, Page 2, Section 37.850, Lines 15-20, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Marshall offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1383, Page 2, Section 33.087, Line 28, by inserting after all of said line the following:

“33.089. 1. Every department and division of this state that receives any grant of federal funds shall determine whether or not any or all of such funds can be used for the alternatives to abortion services program established in section 188.325 or the alternatives to abortion public awareness program established in section 188.335. Federal funds for which such determination shall be made shall include, but not be limited to: maternal and child health block grant; social services block grant; community development block grant; temporary assistance for needy families; community services block grant; head start; pregnancy assistance fund program; maternal, infant, and early childhood home visiting program; community-based child abuse prevention grants; child care and development block grant; promoting safe and stable families; abandoned infants; infant adoption awareness training; healthy start initiative; healthy marriage promotion and responsible fatherhood grants; and any successor funds.

2. At least annually, and by a date or dates specified by the office of administration so as to assist in budgeting and planning for every fiscal year, each such department and division shall submit its determination to the office of administration on the use of such federal funds for the alternatives to abortion services program or the alternatives to abortion public awareness program. The office of administration shall compile this information and submit it to the chairman of the senate appropriations committee and the chairman of the house budget committee, and shall also make such information easily available to the public on the Missouri accountability portal established in section 37.850.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 2** was adopted.

On motion of Representative Cox, **HCS HB 1383, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 1383, as amended**, was ordered perfected and printed.

HCS HB 1444, relating to confiscated animals, was taken up by Representative Smith (150).

Representative Smith (150) offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1444, Page 1, Section 578.018, Line 10, by inserting immediately following the word “**hearing**” the words “**unless necessary to save life or relieve suffering**”; and

Further amend said bill, page, and section, Lines 12-13, by deleting the words “**agreed upon by the law enforcement agency, a veterinarian, and the animal owner**” and inserting in lieu thereof the words “**approved by the court**”; and

Further amend said bill, Page 2, Section 578.018, Lines 19-22, by deleting all of said lines and inserting in lieu thereof the following:

“2. (1) **The owner of any animal that has been impounded under this section shall not be responsible for the animal’s care and keeping prior to a disposition hearing if the court determines that the animal was taken unlawfully.**”; and

Further amend said bill, page, and section, Line 25, by inserting immediately following the word “**hearing**” the words “**and until final judgment, settlement, or dismissal or the case**”; and

Further amend said bill, page, and section, Line 26, by inserting immediately following the word “**security**” the words “**within 72 hours of the disposition hearing**”; and

Further amend said bill, page, and section, Line 27, by deleting the words “**after completion of such hearing**”; and

Further amend said bill, page, and section, Line 49, by inserting immediately after the word “**owner**” the words “**posted a sufficient bond and**”; and

Further amend said bill, page, section and line, by inserting immediately following the word “**conviction,**” the words “**unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence,**”; and

Further amend said bill, page, and section, Line 53, by inserting immediately following the word “**conviction**” the words “**unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence**”; and

Further amend said bill, Page 3, Section 578.018, Line 56, by inserting immediately before the word “**euthanizes**” the word “**intentionally**”; and

Further amend said bill, Page 3, Section 578.018, Line 57, by inserting immediately before the word “**sterilizes**” the word “**intentionally**”; and

Further amend said bill, page, and section, Line 61, by inserting after all of said section and line the following:

“578.030. 1. The provisions of section 43.200 notwithstanding, any member of the state highway patrol or other law enforcement officer may apply for and serve a search warrant, and shall have the power of search and seizure in order to enforce the provisions of sections 578.025 to 578.050.

2. Any member of the state highway patrol or other law enforcement officer making an arrest under section 578.025 shall lawfully take possession of all dogs or other animals **in accordance with the provisions of 578.018** and all paraphernalia, implements, or other property or things used or employed, or about to be employed, in the violation of any of the provisions of section 578.025. Such officer, after taking possession of such dogs, animals, paraphernalia, implements or other property or things, shall file with the court before whom the complaint is made against any person so arrested an affidavit stating therein the name of the person charged in such complaint, a description of the property so taken and the time and place of the taking thereof together with the name of the person from whom the same was taken and the name of the person who claims to own such property, if known, and that the affiant has reason to believe and does believe, stating the ground of such belief, that the property so taken was used or employed, or was about to be used or

employed, in such violation of section 578.025. He shall thereupon deliver the property so taken to the court, which shall, by order in writing, place the same in the custody of an officer or other proper person named and designated in such order, to be kept by him until the conviction or final discharge of such person complained against, and shall send a copy of such order without delay to the prosecuting attorney of the county. The officer or person so named and designated in such order shall immediately thereupon assume the custody of such property and shall retain the same, subject to the order of the court before which such person so complained against may be required to appear for trial. **If the property includes animals or dogs, the placement of the animals or dogs shall be in handled accordance with the provision of 578.018.** Upon the conviction of the person so charged, all property so seized shall be adjudged by the court to be forfeited and shall thereupon be destroyed or otherwise disposed of as the court may order. In the event of the acquittal or final discharge without conviction of the person so charged, such court shall, on demand, direct the delivery of such property so held in custody to the owner thereof.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HCS HB 1444, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1444, as amended**, was ordered perfected and printed.

HCS HB 1549, relating to the No-call List, was taken up by Representative Richardson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington

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Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Carter	Day	Elmer	Funderburk
Guernsey	Holsman	Hughes	Sater	Schneider
Webb	Weter			

On motion of Representative Richardson, **HCS HB 1549** was adopted.

On motion of Representative Richardson, **HCS HB 1549** was ordered perfected and printed.

HCS HB 1458, relating to public safety and emergency services, was taken up by Representative Hinson.

Representative Riddle offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1458, Page 4, Section 320.202, Line 34, by inserting the following after all of said line:

“321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to:

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public; [, or to]

(2) Fire protection districts located wholly within counties of the second, third or fourth [class or] **classification**;

(3) **Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants**;

(4) **Fire protection districts** located within [first class] counties **of the first classification** not adjoining any other [first class] county **of the first classification**; [, nor shall this section apply to]

(5) **Fire protection districts located within** any county of the first or second [class] **classification** not having more than nine hundred thousand inhabitants which borders any three [first class] counties **of the first classification**; [nor shall this section apply to]

(6) **Fire protection districts located within** any [first class] county **of the first classification** [without a charter form of government] which adjoins both a [first class] **charter** county [with a charter form of government] with at least nine hundred thousand inhabitants, and adjoins at least four other counties.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1458, Page 1, Line 23, by inserting after the word “counties” the following:

“;

(7) **Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Riddle, **House Amendment No. 1, as amended**, was adopted.

Representative Diehl offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1458, Page 6, Section 321.162, Line 17, by inserting after all of said line the following:

“321.228. 1. As used in this section, the following terms shall mean:

(1) **"Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;**

(2) **"Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.**

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) **Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction; and**

(2) **May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and**

(3) **Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1458, Page 8, Section 1, Line 27, by inserting the following after all of said line:

“Section 2. Any company that installs, inspects, or services fire extinguishing equipment shall have filed with the division of fire safety within the department of public safety a security bond of twenty-five thousand dollars issued by a responsible corporate surety licensed to execute surety bonds in the state of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted by the following vote:

AYES: 102

Allen	Anders	Atkins	Black	Brandom
Brown 50	Brown 116	Carlson	Casey	Cierpiot
Colona	Conway 27	Cookson	Cross	Denison
Dieckhaus	Diehl	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kelley 126	Kelly 24	Kirkton
Klippenstein	Kratky	Lair	Lampe	Lant
Largent	Lichtenegger	Long	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schieffer	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber			

NOES: 041

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brattin	Brown 85	Burlison	Cauthorn	Conway 14
Cox	Crawford	Curtman	Davis	Franklin
Franz	Frederick	Hampton	Houghton	Keeney
Koenig	Korman	Lasater	Lauer	Leach
Leara	Loehner	Marshall	McCaherty	Neth
Phillips	Pollock	Scharnhorst	Schatz	Schieber
Schoeller	Wells	White	Wieland	Wright
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 020

Aull	Carter	Day	Dugger	Fraker
Fuhr	Funderburk	Holsman	Hughes	Kander
Molendorp	Nolte	Parkinson	Sater	Schad
Schneider	Webb	Weter	Zerr	Mr Speaker

Representative Hinson offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1458, Page 7, Section 321.711, Line 16, by inserting after all of said line the following:

“577.029. A licensed physician, registered nurse, or trained **in hospital** medical technician, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 4** was adopted.

Representative Bernskoetter offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1458, Page 3, Section 302.291, Line 78, by inserting after all of said section and line the following:

“320.106. As used in sections 320.106 to 320.161, unless clearly indicated otherwise, the following terms mean:

- (1) "American Pyrotechnics Association (APA), Standard 87-1", or subsequent standard which may amend or supersede this standard for manufacturers, importers and distributors of fireworks;
- (2) "Chemical composition", all pyrotechnic and explosive composition contained in fireworks devices as defined in American Pyrotechnics Association (APA), Standard 87-1;
- (3) "Consumer fireworks", explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UN0336, [1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172;**
- (4) "Discharge site", the area immediately surrounding the fireworks mortars used for an outdoor fireworks display;
- (5) "Dispenser", a device designed for the measurement and delivery of liquids as fuel;
- (6) "Display fireworks", explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, **UN0333 or UN0334 or UN0335**, [1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172;**

(7) "Display site", the immediate area where a fireworks display is conducted, including the discharge site, the fallout area, and the required separation distance from mortars to spectator viewing areas, but not spectator viewing areas or vehicle parking areas;

(8) "Distributor", any person engaged in the business of selling fireworks to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies that possess the necessary permits as specified in sections 320.106 to 320.161, including any person that imports any fireworks of any kind in any manner into the state of Missouri;

(9) "Fireworks", any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations[, and American Pyrotechnics Association 87-1 standards];

(10) "Fireworks season", the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

(11) "Jobber", any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri to nonlicensed buyers for use and distribution outside the state of Missouri during a calendar year from the first day of January through the thirty-first day of December;

(12) "Licensed operator", any person who supervises, manages, or directs the discharge of outdoor display fireworks, either by manual or electrical means; who has met additional requirements established by promulgated rule and has successfully completed a display fireworks training course recognized and approved by the state fire marshal;

(13) "Manufacturer", any person engaged in the making, manufacture, assembly or construction of fireworks of any kind within the state of Missouri;

(14) "NFPA", National Fire Protection Association, an international codes and standards organization;

(15) "Permanent structure", buildings and structures with permanent foundations other than tents, mobile homes, and trailers;

(16) "Permit", the written authority of the state fire marshal issued pursuant to sections 320.106 to 320.161 to sell, possess, manufacture, discharge, or distribute fireworks;

(17) "Person", any corporation, association, partnership or individual or group thereof;

(18) "Proximate fireworks", a chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation, as [defined by the most current edition of the American Pyrotechnics Association (APA), Standard 87-1, section 3.8, specific requirements for theatrical pyrotechnics] **classified within 49 CFR Part 172 as UN0431 or UN0432;**

(19) "Pyrotechnic operator" or "special effects operator", an individual who has responsibility for pyrotechnic safety and who controls, initiates, or otherwise creates special effects for proximate fireworks and who has met additional requirements established by promulgated rules and has successfully completed a proximate fireworks training course recognized and approved by the state fire marshal;

(20) "Sale", an exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals;

(21) "Seasonal retailer", any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined by subdivision (10) of this section;

(22) "Wholesaler", any person engaged in the business of making sales of consumer fireworks to any other person engaged in the business of making sales of consumer fireworks at retail within the state of Missouri.

320.131. 1. It is unlawful for any person to possess, sell or use within the state of Missouri, or ship into the state of Missouri, except as provided in section 320.126, any pyrotechnics commonly known as "fireworks" and defined as consumer fireworks in subdivision (3) of section 320.106 other than items now or hereafter classified as fireworks UN0336, 1.4G by the United States Department of Transportation that comply with the construction, chemical composition, labeling and other regulations relative to consumer fireworks regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public pursuant to such commission's regulations.

2. No wholesaler, jobber, or seasonal retailer, or any other person shall sell, offer for sale, store, display, or have in their possession any consumer fireworks that have not been approved as fireworks UN0336, 1.4G by the United States Department of Transportation.

3. No jobber, wholesaler, manufacturer, or distributor shall sell to seasonal retailer dealers, or any other person, in this state for the purpose of resale, or use, in this state, any consumer fireworks which do not have the numbers and letter "1.4G" printed within an orange, diamond-shaped label printed on or attached to the fireworks shipping carton.

4. This section does not prohibit a manufacturer, distributor or any other person **possessing the proper permits as specified by state and federal law** from storing, selling, shipping or otherwise transporting display or proximate fireworks[, defined as fireworks UNO335, 1.3G/UNO431, 1.4G or UNO432, 1.4S by the United States Department of Transportation, provided they possess the proper permits as specified by state and federal law].

5. Matches, toy pistols, toy canes, toy guns, party poppers, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound, provided that they are so constructed that the hand cannot come into contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty-five hundredths grains of explosive mixture shall be permitted for sale and use at all times and shall not be regulated by the provisions of sections 320.106 to 320.161.

320.136. Ground salutes commonly known as "cherry bombs", "M-80's", "M-100's", "M-1000's", and any other tubular salutes or any items described as prohibited chemical components or forbidden devices as listed in the American Pyrotechnics Association Standard 87-1 or which exceed the [federal] limits set for **consumer** fireworks [UNO336, 1.4G formerly known as class C common fireworks, display fireworks UNO335, 1.3F, and proximate fireworks UNO431, 1.4F/UNO432, 1.4S by the United States Department of Transportation], **display fireworks, or proximate fireworks** for explosive composition are expressly prohibited from shipment into, manufacture, possession, sale, or use within the state of Missouri for consumer use. Possession, sale, manufacture, or transport of this type of illegal explosive shall be punished as provided by the provisions of section 571.020.”; and

Further amend said bill, Page 8, Section 1, Line 27, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to ensure compliance with federal regulations prior to the sale of fireworks for the Independence Day holiday, Sections 320.106, 320.131, and 320.136 of Section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and Sections 320.106, 320.131, and 320.136 of Section A this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bernskoetter, **House Amendment No. 5** was adopted.

Representative Gatschenberger offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1458, Page 1, Section A, Line 3, by inserting the following after all of said line:

“[650.325.] **190.411.** There is hereby established within the department of public safety the “[Advisory Committee for] 911 Service Oversight **Board**” which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The [committee for] 911 service oversight **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state.

[650.330.] **190.415.** 1. The [committee for] 911 service oversight **board** shall consist of [sixteen] **seven** members, one of [which] **whom** shall be [chosen from] **the director of** the department of public safety **or the director's designee**, who shall serve as chair of the [committee] **board** and only vote in the instance of a tie vote among the other members, and the other members shall be selected as follows:

(1) [One member chosen to represent an association domiciled in this state whose primary interest relates to counties;

(2) One member chosen to represent the Missouri public service commission;

- (3)] One member chosen to represent emergency medical services;
 - [(4)] (2) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;
 - [(5)] (3) One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;
 - [(6)] (4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;
 - [(7)] (5) One member chosen to represent an association whose primary interest relates to issues pertaining to [police chiefs] **law enforcement officials; and**
 - [(8) One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;
 - (9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;
 - (10) One member chosen to represent 911 service providers in counties of the second, third and fourth classification;
 - (11) One member chosen to represent 911 service providers in counties of the first classification, with and without charter forms of government, and cities not within a county;
 - (12)] (6) One member chosen to represent telecommunications service providers with at least one hundred thousand access lines located within Missouri[;
 - (13) One member chosen to represent telecommunications service providers with less than one hundred thousand access lines located within Missouri;
 - (14) One member chosen to represent a professional association of physicians who conduct with emergency care; and
 - (15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers].
2. Each of the members of the [committee for] 911 service oversight **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years[; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years]. Members of the [committee] **board** may serve multiple terms.
3. The [committee for] 911 service oversight **board** shall meet at least quarterly at a place and time specified by the chairperson of the [committee] **board** and it shall keep and maintain records of such meetings, as well as the other activities of the [committee] **board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the [committee] **board**.
4. The [committee for] 911 service oversight **board** shall:
- (1) Organize and adopt standards governing the [committee's] **board's** formal and informal procedures;
 - (2) Provide recommendations for primary answering points and secondary answering points on statewide technical and operational standards for 911 services;
 - (3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;
 - (4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such [committee] **board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;
 - (5) Provide assistance to the governor and the general assembly regarding 911 services;
 - (6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;
 - (7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;
 - (8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state; and
 - (9) Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections [650.320 to 650.340] **190.400 to 190.445**.
5. The department of public safety shall provide staff assistance to the [committee for] 911 service oversight **board** as necessary in order for the [committee] **board** to perform its duties pursuant to sections [650.320 to 650.340] **190.400 to 190.445**.

6. The department of public safety is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within section [650.340] **190.445**. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[650.340.] **190.445**. 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

- (1) Police telecommunicator. 16 hours;
- (2) Fire telecommunicator. 16 hours;
- (3) Emergency medical services telecommunicator. 16 hours;
- (4) Joint communication center telecommunicator. 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the [committee] **board** that such person has completed training in another state which are at least as stringent as the training requirements of subsection 2 of this section.

6. The department of public safety shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for [an] **a dispatch** agency which meets the requirements set forth in section 190.134."; and

Further amend said bill, Section 1, Page 8, Line 27, by inserting the following after all of said line:

“[190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

- (1) "911", the primary emergency telephone number within the wireless system;
- (2) "Board", the wireless service provider enhanced 911 advisory board;
- (3) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;
- (4) "Public safety answering point", the location at which 911 calls are initially answered;
- (5) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).]

[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

- (1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;
- (2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.]

[190.420. 1. There is hereby established in the state treasury a fund to be known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees collected pursuant to sections 190.400 to 190.440 by wireless service providers shall be remitted to the director of the department of revenue. The director shall remit such payments to the state treasurer.

2. The state treasurer shall deposit such payments into the wireless service provider enhanced 911 service fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the wireless service provider enhanced 911 system.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.]

[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.]

[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.]

[650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Committee", the advisory committee for 911 service oversight established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are initially answered;

(3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot offered **House Amendment No. 1 to House Amendment No. 6.**

House Amendment No. 1

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for House Bill No. 1458, Page 2, Line 7, by inserting an opening bracket "[" immediately after the word "with" on said line; and

Further amend said amendment and page, Line 8, by inserting a closing bracket "]" immediately after the word "thousand" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1 to House Amendment No. 6** was adopted.

Representative Hinson offered **House Amendment No. 2 to House Amendment No. 6.**

House Amendment No. 2 to House Amendment No. 6 was withdrawn.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Davis	Denison	Dieckhaus	Diehl
Dugger	Fisher	Fitzwater	Flanigan	Fraker

Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Thomson	Torpey	Wallingford	Wells
White	Wright	Wyatt	Zerr	

NOES: 047

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellington	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 027

Aull	Brown 116	Carter	Cross	Curtman
Day	Ellinger	Elmer	Entlicher	Fuhr
Funderburk	Holsman	Hughes	Jones 117	Kander
Largent	McManus	Molendorp	Nasheed	Parkinson
Schad	Smith 71	Stream	Webb	Weter
Wieland	Mr Speaker			

On motion of Representative Gatschenberger, **House Amendment No. 6, as amended**, was adopted.

Representative Lampe offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1458, Page 3, Section 302.291, Line 78, by inserting after all of said line the following:

“302.800. 1. For purposes of this section, the following terms mean:
(1) "Department", the department of revenue;
(2) "Director", the director of the department of revenue;
(3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;
(4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

(1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;

(2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;

(3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and

(4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lampe, **House Amendment No. 7** was adopted.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Davis	Denison	Dieckhaus	Diehl	Dugger
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Thomson	Torpey
Wallingford	Wells	White	Zerr	

NOES: 050

Anders	Atkins	Black	Brown 50	Carlson
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 029

Aull	Barnes	Brown 116	Carter	Colona
Cross	Curtman	Day	Elmer	Entlicher
Fuhr	Funderburk	Holsman	Hughes	Jones 89
Jones 117	Largent	Molendorp	Pollock	Richardson
Schad	Smith 71	Stream	Webb	Weter
Wieland	Wright	Wyatt	Mr Speaker	

On motion of Representative Hinson, **HCS HB 1458, as amended**, was adopted.

On motion of Representative Hinson, **HCS HB 1458, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1365 - Rules

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HCS HJR 47 - Fiscal Review

HJR 49 - Fiscal Review

HJR 71 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1891 - General Laws

HB 2092 - General Laws

HB 2103 - Small Business

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1254**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HCR 47**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 47

WHEREAS, United States Secretary of Defense Leon E. Panetta recently announced that the Pentagon will seek new rounds of base closures, mission realignments, and procurement decreases as part of the federal budget cutting process; and

WHEREAS, Secretary Panetta states that, in an effort to cut \$487 billion over the next decade, the number of soldiers in the United States Army will drop over the next five years from 562,000 to 490,000, and the number of marines in the United States Marine Corps will drop over the next five years from 202,000 to 182,000; and

WHEREAS, the President's FY 2013 Budget adjusts Air Force military end strength to 501,000, with net reductions of 3,900 active duty, 5,100 Air National Guard, and 900 Air Force Reserve billets, reflecting an especially severe impact on the Guard and Reserves; and

WHEREAS, the Pentagon planners intend to reduce procurement of weapons systems by more than 10% in FY2012 to \$108.5 billion, down from \$120.6 billion in FY2011; and

WHEREAS, Missouri is currently home to a number of major military bases and agencies, including Whiteman Air Force Base near Knob Noster and its 509th Bomb Wing, the only Air Force Unit that operates the B-2 Spirit Stealth Bomber; the United States Army Maneuver Support Center at Fort Leonard Wood and its Chemical, Biological, Nuclear and Radiological School (CBRN), Military Police, and Army Engineer Schools; the National Geospatial-Intelligence Agency (NGA) in Arnold; the Missouri National Guard's Ike Skelton Training Center (ISTS) in Jefferson City; the Theater Aviation Sustainment Maintenance Group (TASMG) in Springfield; and the 139th Airlift Wing in St. Joseph, among numerous other facilities and locations; and

WHEREAS, according to the latest available data, the Department of Defense employs approximately 26,000 civilian and active duty military personnel in Missouri at more than 11 major locations across the state, and provides additional funding for approximately 26,000 members of the Reserves and National Guard; and

WHEREAS, civilian and active duty military personnel and members of the Reserves and National Guard are paid \$1.9 billion in wages and salary and contribute \$3.4 billion to the gross state product; and

WHEREAS, Missouri's defense industry plays a vital role in the state's economy, employing 160,000 Missourians working to support, either directly or indirectly, over \$12 billion in Department of Defense procurement contracts awarded to Missouri companies, ranking 5th among the states in total dollars; and

WHEREAS, Missouri's defense procurement contracts are heavily oriented toward research and operational systems and manufacturing companies, particularly aerospace manufacturing at the Boeing Company, Missouri's 3rd largest employer, and its supply chain; and

WHEREAS, Missouri is home to several outstanding universities, including the University of Missouri, Washington University, and St. Louis University, that conduct cutting edge defense research for the government, providing the innovation needed to keep our military the finest in the world and creating the academic environment necessary to produce critical talent for government and industry workforce; and

WHEREAS, the nation's primary concern must always be national defense and the security of the United States, including Missouri; and

WHEREAS, Missouri is heavily committed to providing for our national defense and security as an accommodating partner and a proud home to major military installations and agencies, 52,000 military personnel, and 160,000 citizens who work at companies that manufacture defense systems, provide valuable services, and perform critical research; and

WHEREAS, Missouri has a vital economic interest in maintaining its military installations and agencies, and in presenting to national leaders evidence of Missouri's capacity to provide additional, cost effective, and flexible support to defense missions during the federal government's efforts to re-establish its basing, costing, and capabilities:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Department of Defense and Missouri's Congressional delegation to protect, promote, and leverage Missouri's military bases and agencies, keep the number of military personnel in the state intact, and preserve defense industry procurement so that Missouri may continue to support the defense and protection of the state and the United States and keep its economy in sound condition; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for United States Secretary of Defense Leon E. Panetta and each member of the Missouri Congressional delegation.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1526**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was returned **HB 1490**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 1922**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 736**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Renewable Energy, Chairman Holsman reporting:

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 1809**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 564**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SB 607**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 611**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1106**, entitled:

An act to repeal sections 52.010, 54.033, 54.330, and 115.342, RSMo, and to enact in lieu thereof four new sections relating to certain public offices that have statutory bond requirements.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1106, Page 1, Section A, Line 4 of said page, by inserting immediately after all of said line the following:

"50.332. [Each county officer] In all counties [except first class counties having a charter form of government] **of the first, second, third, and fourth classes, and in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, each county officer** may, subject to the approval of the governing body of the county, contract with the governing body of any municipality located within such county, either in whole or in part, to perform the same type of duties for such municipality as such county officer is performing for the county. Any compensation paid by a municipality for services rendered pursuant to this section shall be paid directly to the county, or county officer, or both, as provided in the provisions of the contract, and any compensation allowed any county officer under any such contract may be retained by such officer in addition to all other compensation provided by law."; and

Further amend said bill, Page 2, Section 52.010, Line 4 of said page, by inserting immediately after all of said line the following:

"52.320. 1. The collector of revenue in counties using data processing systems of record keeping, except counties of the first class having a charter form of government, in addition to other duties provided by law, shall coordinate the purification of the tax data flows from the offices of the recorder, county clerk and assessor with that of the collector of revenue in cooperation with the data processing center handling such records.

2. In all counties of the first class not having a charter form of government **and in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants** the collector of revenue may enter into a contract with a city providing for the collection of municipal taxes by the collector. Any compensation paid by a city for services rendered pursuant to this section shall be paid directly to the county, or collector, or both, as provided in the contract, and all compensation, not to exceed three thousand dollars annually from all such contracts, allowed the collector under any such contract may be retained by the collector in addition to all other compensation provided by law."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Riddle, the House adjourned until 10:00 a.m., Thursday, April 12, 2012.

COMMITTEE MEETINGS

CORRECTIONS

Thursday, April 12, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1614, HB 1838

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 12, 2012, 9:00 AM House Hearing Room 6.

Executive session will be held: SS SCS SB 469

FISCAL REVIEW

Thursday, April 12, 2012, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

CORRECTED

GENERAL LAWS

Thursday, April 12, 2012, 9:00 AM North Gallery.

Executive session may be held on any matter referred to the committee.

Executive session

INSURANCE POLICY

Thursday, April 12, 2012, 8:30 AM House Hearing Room 3.

Public hearing will be held: HB 1745

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, April 16, 2012, 2:30 PM House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

Oversight Subcommittee meeting

Contested Fiscal Notes: SCS HCS HB 1193, SS #2 SCS SB 710

Conference Call Numbers:

Local 573-526-5504

Toll Free 866-630-9347

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd Quarter Meeting

RETIREMENT

Thursday, April 12, 2012, 9:00 AM House Hearing Room 1.

Executive session will be held: HB 1543, HB 1741, HB 1857

Executive session may be held on any matter referred to the committee.

RULES

Thursday, April 12, 2012, 9:30 AM House Hearing Room 6.

HB 1475 will have a public hearing in this committee.

Any or all bills referred to this committee may be heard and/or executive action taken.

CANCELLED

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, April 12, 2012, 9:30 AM House Hearing Room 6.

Executive session will be held: HCR 18, HCR 46, HJR 85, HCS HJR 89, HCR 49, HCS HB 1117, HCS HB 1137, HCS HB 1210, HCS HB 1049, HCS HB 1280, HCS HB 1213, HCS HB 1328, HCS#2 HB 1358, HCS HB 1397, HB 1592, HCS HB 1637, HCS HB 1639, HCS HB 1709, HCS HB 1710, HCS HB 1758, HB 1779, HCS HB 1803, HCS HB 1795, HCS HB 1818, HCS HB 1966, HCS HB 2019, SS SCS SB 470, SS SCS SB 719, SCS SB 563

Executive session may be held on any or all bills referred to this committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 12, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HB 1778, HB 1863, HB 1813

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Thursday, April 12, 2012, Upon Morning Adjournment North Gallery.

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 12, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1944, HB 1954, HB 1727

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, April 12, 2012, Upon Morning Adjournment South Gallery.

Executive session will be held: HB 2099

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FIFTH DAY, THURSDAY, APRIL 12, 2012

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HCS HB 1717 - Kelley (126)
- 4 HCS HB 1211 - Dieckhaus
- 5 HCS HB 1364 - Schieffer
- 6 HB 1534 - Bahr
- 7 HB 1540 - Jones (89)

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- 8 HCS HBs 1574 & 1097 - Meadows
- 9 HCS HB 1661 - Hoskins
- 10 HCS HB 1826 - Fitzwater
- 11 HCS HB 1860 - Guernsey
- 12 HB 1455 - Gatschenberger
- 13 HCS HB 1274 - Koenig
- 14 HCS#2 HB 1323 - Black
- 15 HCS HB 1342 - Smith (150)
- 16 HB 1359 - Smith (150)
- 17 HCS HB 1367 - Fitzwater
- 18 HCS HB 1476 - Leara
- 19 HCS HB 1521 - Sommer
- 20 HCS HB 1869 - Dugger
- 21 HCS HB 1890 - Molendorp

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS HJR 61 - Loehner
- 2 HCS HJR 47, (Fiscal Review 4/11/12) - Dugger
- 3 HJR 49, (Fiscal Review 4/11/12) - Brattin
- 4 HJR 71, (Fiscal Review 4/11/12) - Elmer

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee
- 5 HCS HB 1134 - Scharnhorst
- 6 HCS HB 1256 - Diehl
- 7 HCS HB 1383, E.C. - Cox
- 8 HCS HB 1444 - Smith (150)
- 9 HCS HB 1549 - Richardson
- 10 HCS HB 1458, E.C. - Hinson

HOUSE CONCURRENT RESOLUTIONS

HCR 6 - Rowland

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FIFTH DAY, THURSDAY, APRIL 12, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Former Representative Betty L. Thompson.

Let us begin by saying Thank God for this day, one that you and I have never seen before, but a day that can make all of us a little bit better than the day before.

It's such a blessing to be among all of you that have the responsibilities of helping people you serve and give them the guidance of which they need – love, salvation, moral values, good examples. And always remember you feel no way tired. You've come too far from where you started.

Nobody told you that the road would be easy. But I don't believe that my God brought you this far to leave you. So in the words of Betty Thompson, I urge you all to wake up, sit up, look up, stand up, dress up and pray up, and if you don't do any of these things you should have given up. God expects us to do these things.

Lord, we say have a great day. Have a great day!

Thank you and Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1985 through House Resolution No. 2019

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 1134, relating to insurance coverage, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HCS HB 1134** was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Asbury	Atkins	Aull
Barnes	Berry	Black	Brandom	Brown 50
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Flanigan	Fraker	Franz	Gatschenberger	Gosen
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Lauer
Leara	Lichtenegger	Loehner	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Quinn	Redmon	Richardson	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Sommer	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 026

Bernskoetter	Brattin	Brown 85	Burlison	Cox
Fitzwater	Fuhr	Guernsey	Hampton	Jones 89
Koenig	Lasater	Leach	Marshall	McCreery
McNary	Molendorp	Nance	Parkinson	Pollock
Riddle	Sater	Schieber	Schoeller	Smith 150
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 021

Bahr	Colona	Day	Denison	Dieckhaus
Fisher	Franklin	Frederick	Funderburk	Grisamore
Haefner	Hughes	Largent	Long	McGhee
Meadows	Nolte	Reiboldt	Swinger	Webb
Webber				

Speaker Tilley declared the bill passed.

HCS HB 1256, relating to judicial procedures, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 1256** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Colona

PRESENT: 001

Conway 27

ABSENT WITH LEAVE: 010

Bahr	Day	Dieckhaus	Franklin	Funderburk
Hughes	Richardson	Schupp	Webb	Webber

Speaker Tilley declared the bill passed.

HCS HB 1383, relating to the Missouri Accountability Portal, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 1383** was read the third time and passed by the following vote:

AYES: 126

Allen	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McGhee	McManus	McNary
Meadows	Montecillo	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 023

Anders	Atkins	Carlson	Ellinger	Ellington
Kirkton	May	McCreery	McDonald	McGeoghegan
McNeil	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Schupp	Sifton	Smith 71
Spreng	Swearingen	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bahr	Carter	Day	Dieckhaus	Franklin
Funderburk	Hodges	Hough	Hughes	Lampe
Molendorp	Richardson	Webb	Webber	

Speaker Tilley declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 103

Allen	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McGhee	McNary
Molendorp	Montecillo	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 047

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Holsman	Hubbard	Hummel
Jones 63	Kirkton	Kratky	Lasater	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bahr	Day	Dieckhaus	Flanigan	Franklin
Fuhr	Funderburk	Hughes	Jones 117	Richardson
Scharnhorst	Webb	Webber		

HCS HB 1444, relating to confiscated animals, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1444** was read the third time and passed by the following vote:

AYES: 108

Anders	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franz
Frederick	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nichols	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 036

Atkins	Carlson	Carter	Colona	Conway 27
Ellinger	Ellington	Holsman	Hummel	Jones 63
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Newman	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Bahr	Brown 50	Cross	Day
Dieckhaus	Fisher	Flanigan	Franklin	Fuhr
Funderburk	Gosen	Hodges	Hughes	Nasheed
Richardson	Schneider	Wallingford	Webb	

Speaker Tilley declared the bill passed.

HCS HB 1458, relating to public safety and emergency services, was taken up by Representative Hinson.

On motion of Representative Hinson, **HCS HB 1458** was read the third time and passed by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 010

Burlison	Curtman	Hampton	Koenig	Marshall
Pollock	Schieber	Schneider	Wells	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Bahr	Brattin	Day	Dieckhaus
Flanigan	Franklin	Funderburk	Hughes	Jones 63
Talboy	Webb			

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
May	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 013

Burlison	Carlson	Kirkton	Lasater	Marshall
McCreery	McDonald	McNeil	Newman	Schieber
Schupp	Spreng	Taylor		

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Bahr	Day	Dieckhaus	Flanigan
Franklin	Funderburk	Gosen	Hughes	Jones 63
Kelly 24	Oxford	Webb	Webber	

HCS HB 1549, relating to the No-call List, was taken up by Representative Richardson.

On motion of Representative Richardson, **HCS HB 1549** was read the third time and passed by the following vote:

AYES: 147

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Bahr	Carter	Day	Dieckhaus
Diehl	Franklin	Funderburk	Hughes	Kelly 24
Kirkton	Long	Oxford	Talboy	Webb
Webber				

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTIONS

HCS HJR 47, relating to initiative and referendum petitions, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HJR 47** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 003

Barnes	McDonald	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 008

Bahr	Day	Ellington	Franklin	Funderburk
Hughes	Oxford	Webb		

Speaker Tilley declared the bill passed.

HJR 49, relating to the right to bear arms, was taken up by Representative Brattin.

On motion of Representative Brattin, **HJR 49** was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGeoghegan
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Nichols	Nolte	Parkinson	Phillips
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 032

Brown 50	Carlson	Carter	Colona	Ellinger
Holsman	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 011

Bahr	Day	Dieckhaus	Franklin	Funderburk
Hughes	Kelley 126	Oxford	Pollock	Scharnhorst
Webb				

Speaker Tilley declared the bill passed.

HJR 71, relating to a property tax exemption for active-duty military personnel, was taken up by Representative Elmer.

On motion of Representative Elmer, **HJR 71** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Swearingen

PRESENT: 000

ABSENT WITH LEAVE: 010

Bahr	Day	Dieckhaus	Franklin	Funderburk
Hughes	Nasheed	Schatz	Webb	Wells

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1005 - Children and Families

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 15 - Financial Institutions

HCR 35 - Tourism and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1087 - Health Care Policy

HB 1189 - Professional Registration and Licensing

HB 1242 - Transportation

HB 1312 - Retirement

HB 1391 - Children and Families

HB 1437 - Crime Prevention and Public Safety

HB 1439 - Elementary and Secondary Education

HB 1507 - Elementary and Secondary Education

HB 1616 - Transportation

HB 1633 - Financial Institutions

HB 1673 - Ways and Means

HB 1685 - Economic Development

HB 1746 - Agriculture Policy

HB 1840 - Judiciary

HB 1881 - Workforce Development and Workplace Safety

HB 1910 - Health Care Policy

HB 1958 - Transportation

HB 1962 - Elections

HB 1963 - Elections

HB 1965 - Elections

HB 1976 - Ways and Means

HB 1977 - Emerging Issues in Animal Agriculture

HB 1981 - Elections

HB 1991 - Crime Prevention and Public Safety

HB 1994 - Judiciary

HB 2038 - Children and Families

HB 2045 - Elementary and Secondary Education

HB 2050 - Emerging Issues in Animal Agriculture

HB 2066 - General Laws

HB 2070 - General Laws

HB 2076 - Children and Families
HB 2082 - Professional Registration and Licensing
HB 2084 - Transportation
HB 2085 - Transportation
HB 2098 - Workforce Development and Workplace Safety
HB 2104 - Workforce Development and Workplace Safety
HB 2105 - Crime Prevention and Public Safety

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1616 - Tax Reform

REFERRAL OF SENATE JOINT RESOLUTIONS

The following Senate Joint Resolutions were referred to the Committee indicated:

SJR 37 - Special Standing Committee on Judicial Reform
SS SCS SJR 40 - Judiciary

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 482 - Higher Education
SCS SBs 484, 477 & 606 - Utilities
SS#2 SB 492 - Retirement
SB 557 - General Laws
SCS SB 565 - Health Insurance
SS SCS SB 595 - Special Standing Committee on Disability Services
SB 599 - Elementary and Secondary Education
SCS SB 631 - Agriculture Policy
SCS SB 648 - Transportation
SB 667 - Professional Registration and Licensing
SCS SB 715 - Veterans
SCS SB 729 - Local Government
SS SCS SB 755 - Crime Prevention and Public Safety
SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 - Transportation
SB 811 - Higher Education

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1790**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1842**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 699**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1245**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1988**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1741** and **HB 1543**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 2063**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 2100**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 2099**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 85**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 89**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1049**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1117**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1137**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1210**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1213**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1213**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1280**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1328**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1475**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1592**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1637**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1639**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1709**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1710**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1718**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 2 hours for debate on Perfection divided equally between both sides**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1758**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1779**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1795**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1803**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1818**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1934 & 1654**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1966**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2019**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 470**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 563**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

The following members' presence was noted: Bahr, Day and Franklin.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, April 16, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 17, 2012, 1:00 PM House Hearing Room 6.

Public hearing will be held: SCS SB 631

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, April 16, 2012, 2:00 PM House Hearing Room 5.

Public hearing will be held: HB 1957, SS SCS SB 755

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 17, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1719, HJR 86, HB 1870

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 18, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1990, HB 1910, HB 1087

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, April 16, 2012, 2:30 PM House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

Oversight subcommittee meeting

Contested Fiscal Notes: SCS HCS HB 1193, SS #2 SCS SB 710

Conference Call Numbers:

Local 573-526-5504

Toll Free 866-630-9347

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd quarter meeting

LOCAL GOVERNMENT

Wednesday, April 18, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 729

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, April 16, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: SS SCS SB 595

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS

Monday, April 16, 2012, Upon Afternoon Adjournment House Hearing Room 4.

Executive session will be held: HB 1766

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 16, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS SCS SB 592

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SIXTH DAY, MONDAY, APRIL 16, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 85 - Solon
- 2 HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2019 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HCS HB 1717 - Kelley (126)
- 4 HCS HB 1211 - Dieckhaus
- 5 HCS HB 1364 - Schieffer
- 6 HB 1534 - Bahr
- 7 HB 1540 - Jones (89)

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- 8 HCS HBs 1574 & 1097 - Meadows
- 9 HCS HB 1661 - Hoskins
- 10 HCS HB 1826 - Fitzwater
- 11 HCS HB 1860 - Guernsey
- 12 HB 1455 - Gatschenberger
- 13 HCS HB 1274 - Koenig
- 14 HCS#2 HB 1323 - Black
- 15 HCS HB 1342 - Smith (150)
- 16 HB 1359 - Smith (150)
- 17 HCS HB 1367 - Fitzwater
- 18 HCS HB 1476 - Leara
- 19 HCS HB 1521 - Sommer
- 20 HCS HB 1869 - Dugger
- 21 HCS HB 1890 - Molendorp
- 22 HCS HB 1117 - Brown (50)
- 23 HCS#2 HB 1475 - Cross
- 24 HB 1592 - Jones (89)
- 25 HCS HB 1637 - Curtman
- 26 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 27 HCS HB 1865 - Barnes
- 28 HCS HBs 1934 & 1654 - Torpey

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 6 - Rowland
- 2 HCR 46 - Franklin
- 3 HCR 49 - Fallert

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, MONDAY, APRIL 16, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Major Kendall Matthews.

Lord, we come before You this afternoon with open hearts, open minds, and open spirits. I am asking You to fill this body of lawmakers with Your goodness and grace. They need Your eternal power to make wise and crystal clear decisions that will positively impact the great Show-Me State of Missouri. Please show them Your wisdom, Your power, and Your infinite love, so that they can stand up for righteousness and all that is good. The Bible says that we can do all things through Christ who strengthens us. Strengthen these lawmakers to entrust themselves to Your power to serve this state.

These are tough economic times for many people of our state, Lord. Unemployment, homelessness, hunger and feelings of uncertainty concerning our future are on everybody's mind. Help us today, O Lord, to look to You for the reassurance that the future will improve for constituents that these lawmakers serve.

Loving God, I pray that this House of Representatives will look to You during times of trouble, knowing that their decisions have the influence and impact to make positive change happen throughout this state. Faith will be the key to keep them on the right path to help make the proper decisions to effect godly change in the Show-Me State.

So Lord, please be present with these legislators this week. Bless them, their families, their constituents, and bless our state.

In the name and Spirit of Jesus Christ, our Lord, our Master, and our Redeemer. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2020 through House Resolution No. 2141

PERFECTION OF HOUSE BILLS

HCS HB 1717, relating to withholding tax filing requirements, was taken up by Representative Kelley (126).

Representative Fisher assumed the Chair.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1717, Page 1, In the Title, Line 2, by deleting the word "section" and inserting in lieu thereof the following: "sections 143.173 and"; and

Further amend said bill, Page 1, In the Title, Line 2, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 143.173 and 143.221, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 143.173 and 143.221, to read as follows:

143.173. 1. As used in this section, the following terms mean:

(1) "County average wage", the average wages in each county as determined by the department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of this section;

(2) "Deduction", an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income, or federal taxable income in the case of a corporation, for the tax year in which such deduction is claimed;

(3) "Full-time employee", a position in which the employee is considered full-time by the taxpayer and is required to work an average of at least thirty-five hours per week for a fifty-two week period;

(4) "New job", the number of full-time employees employed by the small business in Missouri on the qualifying date that exceeds the number of full-time employees employed by the small business in Missouri on the same date of the immediately preceding taxable year;

(5) "Qualifying date", any date during the tax year as chosen by the small business;

(6) "Small business", any small business, **including any sole proprietorship, partnership, S-corporation, C-corporation, limited liability company, limited liability partnership, or other business entity**, consisting of fewer than fifty full or part-time employees;

(7) "Taxpayer", any small business subject to the income tax imposed in this chapter, **including any sole proprietorship, partnership, S-corporation, C-corporation, limited liability company, limited liability partnership, or other business entity**.

2. In addition to all deductions listed in this chapter, for all taxable years beginning on or after January 1, 2011, and ending on or before December 31, 2014, a taxpayer shall be allowed a deduction for each new job created by the small business in the taxable year. **Tax deductions allowed to any partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders.** The deduction amount shall be as follows:

(1) Ten thousand dollars for each new job created with an annual salary of at least the county average wage; or

(2) Twenty thousand dollars for each new job created with an annual salary of at least the county average wage if the small business offers health insurance and pays at least fifty percent of such insurance premiums.

3. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed, and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

4. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first three years after August 28, 2011, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first three years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

Representative Oxford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1717, Page 1, In the Title, Line 2, by deleting the word, "withholding" and inserting in lieu thereof the word, "income"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section the following:

"143.171. 1. For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2012**, an individual taxpayer shall be allowed a deduction for his federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2012**, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Atkins	Carlson	Colona	Conway 27	Ellinger
Ellington	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

NOES: 111

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin

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Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nichols	Parkinson	Phillips	Pollock
Quinn	Redmon	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brown 50	Carter	Funderburk	Hough
Hughes	Kander	Kelly 24	McManus	Nolte
Reiboldt	Schad	Webb	Webber	Weter

On motion of Representative Kelley (126), **HCS HB 1717, as amended**, was adopted.

On motion of Representative Kelley (126), **HCS HB 1717, as amended**, was ordered perfected and printed.

HB 1534, relating to the federal health care reform law, was taken up by Representative Bahr.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater

Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	McCaherty	McGhee	McNary	Molendorp
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Sater
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 050

Atkins	Black	Carlson	Casey	Colona
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 017

Anders	Asbury	Aull	Barnes	Brown 50
Carter	Funderburk	Higdon	Hughes	Long
McManus	Nance	Nolte	Ruzicka	Schad
Scharnhorst	Webb			

On motion of Representative Bahr, **HB 1534** was ordered perfected and printed by the following vote:

AYES: 109

Allen	Asbury	Bahr	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon

Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 041

Atkins	Carlson	Carter	Colona	Conway 27
Ellinger	Ellington	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 001

Anders

ABSENT WITH LEAVE: 012

Aull	Barnes	Brown 50	Brown 85	Funderburk
Hughes	McManus	Nolte	Schad	Scharnhorst
Schieffer	Webb			

HCS HB 1661, relating to a tax deduction for job creation, was taken up by Representative Hoskins.

Representative Oxford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1661, Page 1, Section A, Line 2, by inserting after all of said line the following:

"143.171. 1. For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2012**, an individual taxpayer shall be allowed a deduction for his federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2012**, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 035

Atkins	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hummel	Jones 63	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Newman	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

NOES: 113

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Meadows
Nance	Neth	Nichols	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brown 50	Day	Denison	Diehl
Funderburk	Grisamore	Hughes	Kelly 24	McManus
Molendorp	Nolte	Schad	Scharnhorst	Webb

Representative McNeil offered **House Amendment No. 2**.

Representative Cierpiot raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Fisher requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 049

Anders	Atkins	Black	Carlson	Carter
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Kander	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 017

Aull	Brown 50	Colona	Day	Dieckhaus
Funderburk	Gatschenberger	Hughes	Jones 63	Kelly 24
Korman	McManus	Nolte	Schad	Scharnhorst
Webb	Wyatt			

On motion of Representative Hoskins, **HCS HB 1661** was adopted.

On motion of Representative Hoskins, **HCS HB 1661** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1900**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SS SCS SB 467**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 43

WHEREAS, the sport of trapshooting is one of the three major forms of competitive clay pigeon shooting and is growing in popularity throughout the United States and Missouri; and

WHEREAS, the trapshooting games were originally meant for the hunters to develop their skills, but these shooting games have obtained international recognition and are encouraged by sports associations; and

WHEREAS, trapshooting is a sport where flying clay targets are fired at with a shot gun. Trapshooting is considered to be an exciting and challenging sport with several million participants; and

WHEREAS, trapshooting has been a sport since at least 1793; and

WHEREAS, Olympic trap is one of the International Shooting Sport Federation (ISSF) shooting events, introduced to the Olympic program in 1900; and

WHEREAS, the Amateur Trapshooting Association (ATA) is the primary governing body of American trapshooting and has launched a major initiative to attract more youth shooters; and

WHEREAS, a great deal of coordination and discipline is needed for trapshooting. Trapshooting sports test a player's skill in marksmanship and improve confidence of youth, both male and female, who may not possess the physical attributes to compete in other competitive sports offered at their schools; and

WHEREAS, the goal of any program of youth trapshooting should be to provide instruction and promote firearm safety, personal responsibility, and sportsmanship among primary and secondary students; and

WHEREAS, trap shooting competitions promote tourism in the State of Missouri by bringing in participants and their families from around the country who stay in motels, eat in restaurants, and shop in retail stores, and purchase products from vendors at events; and

WHEREAS, the ATA, the Missouri Trapshooters Association, and other state shooting organizations also award scholarships to college-bound trapshooters based on citizenship, scholarship, and need. Many youth trapshooters are now attending college with the help of those scholarships; and

WHEREAS, our youth should have the opportunity and be encouraged to participate in this extracurricular activity in the same manner as other youth extracurricular activities, such as football, baseball, softball, basketball, track, or band; and

WHEREAS, the boards of education of every Missouri school district and school is encouraged to promote and include trapshooting as a high school sport:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage the school boards of every school district and school in the State of Missouri, in conjunction with the Missouri Youth Sport Shooting Alliance, to voluntarily promote and include trapshooting as a high school sport for the youth of our state; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Missouri Commissioner of Education, the Missouri School Activities Association, the Missouri Trapshooters Association, the Missouri Youth Sport Shooting Alliance, and each school district and school in Missouri.

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 52

WHEREAS, in 1959, Senate Resolution No. 33 and House Resolution No. 19, recognizing the importance of the extraordinary manifestations of nature and recreational attributes of the Current and Eleven Point Riverways, requested Congress to enact legislation to preserve the natural resources and provide recreational development and other improvements for the public use; and

WHEREAS, in 1964, Congress answered Missouri's request by enacting legislation to establish the Ozark National Scenic Riverways; and

WHEREAS, the riverways within the Ozark National Scenic Riverways are, and remain, public highways of the State of Missouri, subject to concurrent jurisdiction between the State of Missouri and the United States under Missouri Senate Bill No. 362 enacted in 1971; and

WHEREAS, in 2005, the National Park Service began researching for the purpose of drafting a new general management plan for the Ozark National Scenic Riverways; and

WHEREAS, the general management plan for the Ozark National Scenic Riverways will ensure that the National Park Service managers and stakeholders share a clearly defined understanding of the resource conditions, opportunities for recreational use, and managerial methodology for access, and development designed to successfully achieve the national riverways' purpose; and

WHEREAS, in keeping with the National Parks and Recreation Act of 1978, the general management plan will serve as a guideline which will be relied upon as a basis for decisions affecting the riverways and for decisions which serve to preserve resources for the enjoyment of future generations; and

WHEREAS, every national park system unit has been asked to prepare this kind of document since 1976 when Congress passed a law to that effect. The general management plan will guide decisions related to the Ozark National Scenic Riverways for the next 15 to 20 years; and

WHEREAS, the Missouri Conservation Commission is charged with the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations and all other property owned, acquired or used for such purposes; and

WHEREAS, in September of 2009, the Missouri Department of Conservation recommended that "hunting, fishing and trapping continue to be allowed throughout the ONSR except in highly developed areas where a reasonable safety zone for public protection may be required" and supported the "No-Action Alternative" released in 2009 by the National Park Service as an appropriate balance between preservation of resource conditions and opportunities for recreational use; and

WHEREAS, the recreational resources afforded by the riverways are an economic staple to the citizens of the surrounding communities with the State of Missouri; and

WHEREAS, the State of Missouri and a majority of the citizens of Missouri agree that the citizens of Missouri and those Missouri citizens most impacted in their daily lives are in the best position to formulate policy and regulations to manage and protect Missouri's natural resources as opposed to a federal agency headquartered in Washington, D.C.:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the National Park Service to draft its final General Management Plan to recognize the importance the riverways provides to the State of Missouri not only for the preservation of those extraordinary manifestations of nature, but also recreational use and enjoyment; and

BE IT FURTHER RESOLVED that the Missouri General Assembly finds that the previously announced "No Action Alternative" provides the best balance to maintain the riverways' purposes; and

BE IT FURTHER RESOLVED that the Missouri General Assembly stand prepared to utilize its concurrent jurisdiction to assure this balance is properly maintained; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Jonathan B. Jarvis, Director of the National Park Service, and Bill Black, Interim Superintendent of Ozark National Scenic Riverways.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1394**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1690**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1998**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 37**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCR 16**.

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 16

WHEREAS, in the year 2011, heavy rainfall and snowmelt along the Missouri River combined with intentional releases of impounded water by the U.S. Army Corps of Engineers caused unprecedented amounts of water flow on the river, which led to breached levees and widespread flooding for the states along the river, including Missouri; and

WHEREAS, the extensive flooding destroyed many homes, farms, and businesses, severely impacting the livelihoods of thousands of Missourians, who, in addition to suffering the emotional toll of the disaster, are also suffering a heavy economic burden to repair the devastated land and infrastructure; and

WHEREAS, the U.S. Army Corps of Engineers is charged with management of the Missouri River for eight congressionally-authorized purposes, one of which is flood control; and

WHEREAS, the Army Corps of Engineers has worked extensively for numerous years to develop the Missouri River Master Manual to guide its management of the river which seeks to balance the competing interests of the eight authorized purposes; and

WHEREAS, it is evident that due to the immediate, large-scale and potentially life-threatening impacts upon public health and safety caused by flooding, the authorized purpose of flood control must have the utmost importance in any planning activities on the part of the Army Corps; and

WHEREAS, as a result of the widespread devastation caused by the flood events of 2011, an independent technical review panel was formed to evaluate the Army Corps' river management performance and, specifically, its performance with regard to its responsibility to protect public health and safety through flood control; and

WHEREAS, the independent technical review panel issued its findings and recommendations in December 2011 and concluded that while the Army Corps may have acted in accordance with the Master Manual, the Master Manual itself may not be appropriately flexible or responsive to adequately protect the public from flooding in the case of extreme weather events such as those experienced in 2011; and

WHEREAS, the panel's report further concluded that the Army Corps' Master Manual should not regard extreme weather events such as the precipitation in 2011 as rare, isolated events, but rather as part of a potential climatic pattern for which the Army Corps must be continuously prepared to address; and

WHEREAS, understanding that the prediction of future weather patterns is not an exact science, the Army Corps must allow greater flexibility in its management activities of reservoir storage and spring rise to anticipate and respond to higher than expected snow and rainfall in the river basin so as to prevent future catastrophic flooding events like that which occurred in 2011 and to position the Army Corps to be successful in accomplishing its flood control duties and protecting the public from disasters that could have been prevented:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Commanding General of the U.S. Army Corps of Engineers to accept the recommendations of the independent technical review panel in order to improve its flood protection operations and conduct its river management activities in proper accordance with the Corps' mandated responsibility to protect life and property through flood control actions; and

BE IT FURTHER RESOLVED that the U.S. Army Corps of Engineers be urged to continually place the utmost priority on flood control in any future annual operating plans with the goal of allowing the Army Corps to be able to successfully react and respond to unpredictable weather and extreme weather events so as to prevent future flooding disasters; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commanding General of the U.S. Army Corps of Engineers and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 25**.

SENATE CONCURRENT RESOLUTION NO. 25

WHEREAS, over the course of the spring and summer of 2011, unprecedented releases of water upstream by the U.S. Army Corps of Engineers have caused extensive pressure on the river levees in the state of Missouri that protect many communities, businesses, and prime agricultural lands; and

WHEREAS, in the face of this tremendous pressure some of Missouri's levees have been intentionally and unintentionally breached, resulting in widespread flooding, which has proved devastating to many Missouri homes, farms, families, and livelihoods; and

WHEREAS, last summer, the U.S. Army Corps of Engineers intentionally breached the Birds Point levee in southeast Missouri which resulted in the flooding of 130,000 acres of mostly agricultural land; and

WHEREAS, Missouri families have suffered unprecedented losses as a result of this situation and many Missouri farmers have experienced a complete and total loss of agricultural production, resulting in decimated farm incomes and ravaged local economies; and

WHEREAS, according to a June 2011 report drafted by the Food and Agricultural Policy Research Institute of the University of Missouri, the breach of the levee and subsequent flooding of crop lands in southeast Missouri has resulted in economic losses totaling \$60.6 million, a combination of forgone net returns and incurred production expenses in the affected area; and

WHEREAS, according to the University of Missouri Extension, the southeast Missouri region produced the following shares of the state's total production of specific agricultural commodities in 2010:

- 1) 100% of total cotton production in Missouri;
- 2) 99.6% of total rice production in Missouri;
- 3) 52.9% of total wheat production in Missouri;
- 4) 21.4% of total grain sorghum production in Missouri;
- 5) 18.1% of total soybean production in Missouri;
- 6) 15.4% of total corn production in Missouri; and

WHEREAS, with the agricultural production of southeast Missouri accounting for approximately one-third of the state's total economy, the catastrophic results of the flooding of agricultural land due to the intentional breach of the Birds Point levee in southeast Missouri has a significant economic impact for the entire state. This complete and total loss of agricultural production at a time when our state's economy is experiencing recession can only exacerbate the state's current economic hardships; and

WHEREAS, the flood waters have not yet receded in some parts of Missouri and continue to disrupt the lives of hard-working Missourians; and

WHEREAS, even after the flood waters recede, much work will need to be done to restore the productivity of the damaged agricultural land and repair the ruined homes and businesses; and

WHEREAS, the U.S. Army Corps of Engineers has a responsibility to the nation for flood control; and

WHEREAS, the original flood plan was authorized in 1928 in response to severe flooding of the Mississippi River in 1927. The U.S. Army Corps of Engineers is obligated to re-examine the flood plan in light of the devastating losses, both short-term and long-term, suffered in this state as a result of the unprecedented releases of water upstream and the intentional breach of the Birds Point levee by the U.S. Army Corps of Engineers during the spring and summer of 2011;

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the U.S. Army Corps of Engineers to:

- 1) Re-examine the flood plan for the Mississippi River; and
- 2) Conduct its river operations in such a way as to avoid the devastating flooding disasters that occurred in 2011; and
- 3) Rebuild the damaged levees to at least their previous heights as expediently as possible; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly encourage communities, families and other stakeholders to work together to restore the prime agricultural lands that have been damaged by the recent flooding so that the productive value of these lands is not irrevocably lost; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly strongly encourage the members of the Missouri Congressional delegation to actively support policies for the management of the Mississippi River that minimize devastating flood events such as those that have been experienced by so many Missourians last summer; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commanding General of the U.S. Army Corps of Engineers and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 628**, entitled:

An act to repeal section 488.5026, RSMo, and to enact in lieu thereof one new section relating to a surcharge in certain criminal cases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 668**, entitled:

An act to amend chapter 52, RSMo, by adding thereto one new section relating to property tax bills of certain counties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 742**, entitled:

An act to amend chapter 376, RSMo, by adding thereto three new sections relating to the credentialing and payment of health care practitioners by health insurers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 804**, entitled:

An act to repeal section 535.030, RSMo, and to enact in lieu thereof one new section relating to the failure to vacate leased premises in a rent and possession case, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 837**, entitled:

An act to repeal section 407.400, RSMo, and to enact in lieu thereof one new section relating to franchises.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Schad.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 17, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fifth Day, Thursday, April 12, 2012, Page 1041, Line 4, by deleting "**HR 1005**" and inserting in lieu thereof "**HR 1391**".

Line 15, by deleting all of said line.

Line 37, by deleting the words, "Elementary and Secondary Education" and inserting in lieu thereof the words, "Emerging Issues in Animal Agriculture".

Line 37, by inserting immediately after said line the following:
"**HB 2048** - General Laws".

Line 38, by deleting the words, "Emerging Issues in Animal Agriculture" and inserting in lieu thereof the words, "Elementary and Secondary Education".

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 17, 2012, 1:00 PM House Hearing Room 6.

Public hearing will be held: SCS SB 631

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, April 18, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 2038, HB 2076

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 17, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1719, HJR 86, HB 1870

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 18, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: SB 599, HB 2050, HB 2068

Executive session may be held on any matter referred to the committee.

Committee will recess at 10 AM and reconvene at Noon (12 PM) in Hearing Room 7.

GENERAL LAWS

Tuesday, April 17, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: SB 557, HB 2048, HB 2066

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 18, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1990, HB 1910, HB 1087

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd quarter meeting

JUDICIARY

Wednesday, April 18, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: SS SCS SJR 40, HB 1994, HB 1840

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 18, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 729

Executive session may be held on any matter referred to the committee.

RULES

Tuesday, April 17, 2012, Upon Afternoon Adjournment or 5 PM, whichever is later, House Hearing Room 6.

Public hearing will be held: SCR 28

Executive session will be held: SCR 28

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Tuesday, April 17, 2012, Upon Afternoon Adjournment or 5 PM, whichever is later, House Hearing Room 6.

Executive session will be held: HCS SCS SB 562, SS SCS SB 699, SB 736

Executive session may be held on any or all bills which have been referred to this committee.

AMENDED

RULES - PURSUANT TO RULE 25(32)(F)

Tuesday, April 17, 2012, 6:00 PM 516 S. Country Club Drive-Jimenez Room.

House Rules Committee dinner

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, April 17, 2012, 5 PM or Upon Afternoon Adjournment, whichever comes first, House Hearing Room 7.

Public hearing will be held: SJR 37

Executive session may be held on any matter referred to the committee.

Possible executive session

TRANSPORTATION

Tuesday, April 17, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: SCS SB 648, SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, HB 1242, HB 2085, HB 2084, HB 1958

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, April 17, 2012, 5 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.

Executive session will be held: HB 1213

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, April 17, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1972, HB 1768

Executive session will be held: HB 2083

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SEVENTH DAY, TUESDAY, APRIL 17, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 85 - Solon
- 2 HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2019 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HCS HB 1211 - Dieckhaus
- 4 HCS HB 1364 - Schieffer
- 5 HB 1540 - Jones (89)
- 6 HCS HBs 1574 & 1097 - Meadows
- 7 HCS HB 1826 - Fitzwater
- 8 HCS HB 1860 - Guernsey
- 9 HB 1455 - Gatschenberger
- 10 HCS HB 1274 - Koenig
- 11 HCS#2 HB 1323 - Black
- 12 HCS HB 1342 - Smith (150)
- 13 HB 1359 - Smith (150)
- 14 HCS HB 1367 - Fitzwater
- 15 HCS HB 1476 - Leara
- 16 HCS HB 1521 - Sommer
- 17 HCS HB 1869 - Dugger
- 18 HCS HB 1890 - Molendorp
- 19 HCS HB 1117 - Brown (50)
- 20 HCS#2 HB 1475 - Cross
- 21 HB 1592 - Jones (89)
- 22 HCS HB 1637 - Curtman
- 23 HB 1718, (2 hours debate on Perfection) - Scharnhorst
- 24 HCS HB 1865 - Barnes
- 25 HCS HBs 1934 & 1654 - Torpey
- 26 HCS HB 1049 - Allen
- 27 HCS HB 1210 - Gatschenberger
- 28 HCS HB 1280 - Korman
- 29 HCS HB 1758 - Long
- 30 HCS HB 1795 - Ruzicka

- 31 HCS HB 1803 - Korman
- 32 HCS HB 1818 - Schad
- 33 HCS HB 1966 - Burlison

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee

SENATE BILLS FOR SECOND READING

- 1 SB 628
- 2 SB 668
- 3 SS SB 742
- 4 SB 804
- 5 SCS SB 837

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 6 - Rowland
- 2 HCR 46 - Franklin
- 3 HCR 49 - Fallert

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, TUESDAY, APRIL 17, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let your light so shine before men, that they may see your good works, and glorify your Father who is in heaven. (Matthew 5:16)

Eternal God of our hearts, in this sacred moment of quiet prayer, we turn our thoughts to You and open our minds to Your spirit that we may be wise in our decisions, understanding in our relationships, and faithful in our devotion to You and to our state.

Let not this period of prayer be the only time we think of You this day, but as the hours pass may we continue to be mindful of Your presence and ready to do Your will.

Bless the people of Missouri with Your continued favor. May we be great enough in spirit and good enough in heart to be the channel for peace and justice in our state and among people everywhere. To this end, help us this day, and lead us in Your way.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Morgan Yanskey, Alondra Jiminez, Austin Sooter, Luke Distler and Tabitha Imhoff.

The Journal of the fifty-sixth day was approved as printed.

Representative Day assumed the Chair.

SECOND READING OF SENATE BILLS

SB 628, SB 668, SS SB 742, SB 804 and SCS SB 837 were read the second time.

PERFECTION OF HOUSE BILLS

HB 1718, relating to Bryce's Law, was taken up by Representative Scharnhorst.

HB 1718 was laid over.

HCS HB 1211, relating to local courts, was taken up by Representative Dieckhaus.

Representative Schupp offered **House Amendment No. 1**.

Representative Hinson raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Day requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Dieckhaus, **HCS HB 1211** was adopted.

On motion of Representative Dieckhaus, **HCS HB 1211** was ordered perfected and printed.

HCS HB 1826, relating to videoconferencing of offenders, was taken up by Representative Fitzwater.

Representative Black offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1826, Page 2, Section 217.670, Line 27, by inserting after all of said section and line the following:

“559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

- (1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;**
- (2) Have been found guilty of, or plead guilty to, forcible rape under section 566.030;**
- (3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;**
- (4) Have been found guilty of, or plead guilty to, forcible sodomy under section 566.060;**
- (5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;**
- (6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;**
- (7) Have been found to be a predatory sexual offender under section 558.018; or**
- (8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.**

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 1** was adopted.

On motion of Representative Fitzwater, **HCS HB 1826, as amended**, was adopted.

On motion of Representative Fitzwater, **HCS HB 1826, as amended**, was ordered perfected and printed.

HCS HB 1274, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Koenig.

HCS HB 1274 was laid over.

HCS HB 1860, relating to agriculture, was taken up by Representative Guernsey.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1860, Page 1, Section A, Line 4, by inserting after all of said section the following:

“178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education; however, such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative McCreery offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1860, Page 11, Section 578.672, Line 25, by inserting after all of said line the following:

"Section 1. 1. As used in this section, the following terms shall mean:

(1) "Animal production facility", a commercial enterprise engaged in animal breeding, production, or processing;

(2) "Crop operation", a commercial enterprise where a crop is maintained on the property of the commercial enterprise;

(3) "Food product", any substance or product capable of use as human food;

(4) "Record", any printed, inscribed, visual, or audio information that is placed or stored on a tangible medium, and that may be accessed in a perceivable form, including but not limited to any paper or electronic format.

2. Notwithstanding any other provision of law to the contrary, no food products shall be purchased for or distributed to any departments, offices, institutions, and other agencies of the state and political subdivisions of the state, nor shall any moneys be allocated to any departments, offices, institutions, and other agencies of the state and political subdivisions of the state for the purchase or distribution of food products from any local, state, or foreign jurisdiction which prohibits or restricts by law or regulation the ability of a person lawfully on the premises of an animal production facility or crop operation to produce, possess, or distribute a record which reproduces an image or sound occurring at the animal production facility or crop operation.

3. The provisions of this section shall become effective August 28, 2013."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative McCreery moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Guernsey, **HCS HB 1860, as amended**, was adopted by the following vote:

AYES: 124

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGeoghegan	McGhee	McNary	Meadows

Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 029

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Holsman	Hummel	Jones 63
Kirkton	McCann Beatty	McCreery	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 116	Fallert	Fitzwater	Frederick	Funderburk
Hughes	McDonald	McManus	Scharnhorst	Webb

On motion of Representative Guernsey, **HCS HB 1860, as amended**, was ordered perfected and printed.

Representative Swinger assumed the Chair.

HCS HB 1342, relating to the recovery of attorney fees, was taken up by Representative Smith (150).

Representative Marshall offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1342, Page 4, Section 511.810, Lines 17 and 32, by deleting the word “**fourteen**” on said lines and inserting in lieu thereof the word “**sixty**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Ruzicka
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Colona	Conway 27	Ellinger
Ellington	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 016

Casey	Dieckhaus	Dugger	Fallert	Flanigan
Funderburk	Hughes	Jones 117	Lasater	McManus
Meadows	Rowland	Sater	Scharnhorst	Schupp
Webb				

On motion of Representative Smith (150), **HCS HB 1342, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1342, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Jones (89).

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2142 through House Resolution No. 2215

HOUSE CONCURRENT RESOLUTION

Representative Shumake, et al., offered House Concurrent Resolution No. 58.

PERFECTION OF HOUSE BILLS

HB 1359, relating to state contracts, was taken up by Representative Smith (150).

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1359, Page 1, Section 34.400, Line 4, by inserting after all of said section and line, the following:

“160.526. 1. In establishing the academic standards authorized by subsection 1 of section 160.514 and the statewide assessment system authorized by subsection 1 of section 160.518, the state board of education shall consider the work that has been done by other states, recognized regional and national experts, professional education discipline-based associations and other professional education associations. Further, in establishing the academic standards and statewide assessment system, the state board of education shall adopt the work that has been done by consortia of other states and, subject to appropriations, may contract with such consortia to implement the provisions of sections 160.514 and 160.518.

2. The state board of education shall, by contract enlist the assistance of such national experts, as approved by the commission established pursuant to section 160.510, to receive reports, advice and counsel on a regular basis pertaining to the validity and reliability of the statewide assessment system. The reports from such experts shall be received by the commission, which shall make a final determination concerning the reliability and validity of the statewide assessment system. Within six months prior to implementation of the statewide assessment system, the commissioner of education shall inform the president pro tempore of the senate and the speaker of the house about the procedures to implement the assessment system, including a report related to the reliability and validity of the assessment instruments, and the general assembly may, within the next sixty legislative days, veto such implementation by concurrent resolution adopted by majority vote of both the senate and the house of representatives.

3. The commissioner of education shall establish a procedure for the state board of education to regularly receive advice and counsel from professional educators at all levels in the state, district boards of education, parents, representatives from business and industry, and labor and community leaders pertaining to the implementation of sections 160.514 and 160.518. The procedure shall include, at a minimum, the appointment of ad hoc committees and shall be in addition to the advice and counsel obtained from the commission pursuant to section 160.510.

4. The state board of education shall, by contract, ensure that the results of each year's statewide student assessments in grades three through eight are statistically analyzed to determine patterns showing unexpected increases or decreases localizable to a particular attendance center. The state board shall review the results of the analysis to make a preliminary determination on whether the attendance center's results are valid, which shall include the use of a program or application that detects physical signs of test tampering. The state board shall share the results with the superintendent and school board of each affected district and shall annually at an open meeting report the results of the analysis.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HB 1359, as amended**, was ordered perfected and printed.

HCS HB 1274, relating to the Abortion-inducing Drugs Safety Act, was again taken up by Representative Koenig.

Representative Morgan offered **House Amendment No. 1**.

Representative Zerr raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Jones (89) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Loehner assumed the Chair.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 046

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
May	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 018

Brown 116	Carter	Dieckhaus	Fallert	Franz
Funderburk	Grisamore	Hughes	Jones 89	Kander
Lampe	Lasater	McCann Beatty	McManus	Meadows
Nasheed	Silvey	Webb		

On motion of Representative Koenig, **HCS HB 1274** was adopted.

On motion of Representative Koenig, **HCS HB 1274** was ordered perfected and printed by the following vote:

AYES: 116

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 034

Atkins	Carlson	Colona	Ellinger	Ellington
Holsman	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McCreery
McDonald	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 001

Brown 50

ABSENT WITH LEAVE: 012

Carter	Dieckhaus	Fallert	Funderburk	Grisamore
Hughes	Kander	Lasater	McManus	Meadows
Nasheed	Webb			

HCS HB 1476, relating to the Freight Forwarders Incentive Act, was taken up by Representative Leara.

Representative White offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1476, Page 1, Section 135.1500, Lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following:

“(2) “Airport”, an airport serving air passengers, air cargo, and air freight by accommodating certified scheduled air carriers;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad assumed the Chair.

Representative White moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Asbury	Aull	Bahr	Bernskoetter	Berry
Brattin	Brown 85	Burlison	Conway 14	Conway 27
Cox	Cross	Curtman	Elmer	Fisher
Franklin	Fuhr	Gosen	Hampton	Higdon
Hoskins	Keeney	Kelley 126	Klippenstein	Koenig
Lant	Largent	Lauer	Leach	Marshall
McCreery	McGhee	McNary	Molendorp	Nance
Parkinson	Quinn	Redmon	Reiboldt	Sater
Schieber	Schneider	Shively	Solon	Swinger
Thomson	Weter	White	Wyatt	

NOES: 098

Allen	Anders	Atkins	Barnes	Black
Brandom	Brown 50	Carlson	Casey	Cauthorn
Cierpiot	Colona	Cookson	Crawford	Davis
Day	Denison	Diehl	Dugger	Ellinger
Ellington	Entlicher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Guernsey	Haefner	Harris
Hinson	Hodges	Holsman	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Leara	Lichtenegger	Loehner
Long	May	McCahty	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Pollock	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schieffer	Schoeller	Schupp	Sifton	Silvey
Smith 71	Smith 150	Sommer	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webber	Wells	Wieland
Wright	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 116	Carter	Dieckhaus	Fallert	Funderburk
Gatschenberger	Grisamore	Hughes	Jones 63	Lasater
McManus	Meadows	Nolte	Schatz	Shumake
Webb				

On motion of Representative Leara, **HCS HB 1476** was adopted.

On motion of Representative Leara, **HCS HB 1476** was ordered perfected and printed.

HCS HB 1364, relating to rodeos, was taken up by Representative Schieffer.

Representative Schieffer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1364, Page 1, Section 262.750, Line 5, by inserting after the word “**events**” the following:

“**or be construed as superceding local zoning ordinances**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieffer, **House Amendment No. 1** was adopted.

On motion of Representative Schieffer, **HCS HB 1364, as amended**, was adopted.

On motion of Representative Schieffer, **HCS HB 1364, as amended**, was ordered perfected and printed.

HCS HB 1521, relating to property tax bills, was taken up by Representative Sommer.

On motion of Representative Sommer, **HCS HB 1521** was adopted.

On motion of Representative Sommer, **HCS HB 1521** was ordered perfected and printed.

Speaker Tilley resumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1534 - Fiscal Review
HCS HB 1661 - Fiscal Review
HCS HB 1717 - Fiscal Review

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1991 - Rural Community Development

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 15 - Rural Community Development
SS SCR 16 - Tourism and Natural Resources
SCS SCR 17 - Tourism and Natural Resources
SCR 24 - Transportation
SCR 25 - Tourism and Natural Resources

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 26 - Elections

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 485 - Judiciary
SB 504 - Transportation
SCS SB 566 - Emerging Issues in Animal Agriculture
SB 620 - Insurance Policy
SCS SB 626 - General Laws
SB 628 - Judiciary
SS SCS SB 633 - General Laws
SB 636 - Judiciary
SS SB 665 - Transportation
SB 668 - General Laws
SCS SB 671 - Elections
SCS SB 673 - Transportation
SCS SB 683 - Financial Institutions
SB 690 - Crime Prevention and Public Safety
SCS SB 692 - Local Government
SB 701 - Transportation
SCS SB 711 - Children and Families
SCS SB 714 - Transportation
SB 721 - General Laws
SCS SB 722 - General Laws
SS SB 727 - Children and Families
SB 760 - Tourism and Natural Resources
SS SB 769 - Transportation Funding and Public Institutions
SCS SB 789 - Judiciary
SB 804 - Judiciary
SB 813 - Financial Institutions
SCS SB 837 - Small Business
SCS SB 856 - Special Standing Committee on Government Oversight and Accountability
SS SB 877 - Budget
SB 911 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SCS SB 592**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Governmental Affairs, Chairman Schneider reporting:

Mr. Speaker: Your Special Standing Committee on Governmental Affairs, to which was referred **HB 1971**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice Chairman Jones (117) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 562**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 699**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 736**, begs leave to report it has examined the same and recommends that it **Do Pass**.

The following member's presence was noted: Fallert.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 18, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 19, 2012, 9:00 AM House Hearing Room 7.

Executive session will be held: SCS SB 631

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Review of DSS, DMH, & DHSS operations and policies

CHILDREN AND FAMILIES

Wednesday, April 18, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 2038, HB 2076

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 18, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1067

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 19, 2012, 9:00 AM House Hearing Room 4.

Executive session will be held: HJR 60

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 18, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: SB 599, HB 2050, HB 2068

Executive session may be held on any matter referred to the committee.

Committee will recess at 10 AM and reconvene at Noon (12 PM) in Hearing Room 7.

FINANCIAL INSTITUTIONS

Wednesday, April 18, 2012, Immediately Upon Afternoon Adjournment House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Executive session only—any bills that have been previously heard in Committee

FISCAL REVIEW

Thursday, April 19, 2012, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

HEALTH CARE POLICY

Wednesday, April 18, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1990, HB 1910, HB 1087

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Thursday, April 19, 2012, 8:30 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

The Committee will meet in executive session.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd quarter meeting

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd quarter meeting

AMENDED

JUDICIARY

Wednesday, April 18, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: SS SCS SJR 40, HB 1994, HB 1840

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 18, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 729

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 18, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: SB 667, HB 1678

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Wednesday, April 18, 2012, 5 PM or Upon Afternoon Adjournment House Hearing Room 5.

Executive session will be held: HB 1846

Executive session may be held on any matter referred to the committee.

No meal will be provided.

HOUSE CALENDAR

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 18, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 85 - Solon
- 2 HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2019 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1540 - Jones (89)
- 4 HCS HBs 1574 & 1097 - Meadows
- 5 HB 1455 - Gatschenberger
- 6 HCS#2 HB 1323 - Black
- 7 HCS HB 1367 - Fitzwater
- 8 HCS HB 1869 - Dugger
- 9 HCS HB 1890 - Molendorp

- 10 HCS HB 1117 - Brown (50)
- 11 HCS#2 HB 1475 - Cross
- 12 HB 1592 - Jones (89)
- 13 HCS HB 1637 - Curtman
- 14 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 15 HCS HB 1865 - Barnes
- 16 HCS HBs 1934 & 1654 - Torpey
- 17 HCS HB 1049 - Allen
- 18 HCS HB 1210 - Gatschenberger
- 19 HCS HB 1280 - Korman
- 20 HCS HB 1758 - Long
- 21 HCS HB 1795 - Ruzicka
- 22 HCS HB 1803 - Korman
- 23 HCS HB 1818 - Schad
- 24 HCS HB 1966 - Burlison
- 25 HCS HB 1137 - Lauer
- 26 HCS HB 1328 - Cox
- 27 HB 1779 - Flanigan
- 28 HCS HB 1794 - Grisamore
- 29 HCS HB 1854 - Grisamore

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee
- 5 HCS HB 1717, (Fiscal Review 4/17/12) - Kelley (126)
- 6 HB 1534, (Fiscal Review 4/17/12) - Bahr
- 7 HCS HB 1661, (Fiscal Review 4/17/12) - Hoskins

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 6 - Rowland
- 2 HCR 46 - Franklin
- 3 HCR 49 - Fallert
- 4 HCR 18 - Walton Gray

SENATE BILLS FOR THIRD READING

- 1 HCS SB 568 - Franz
- 2 SB 736 - Gatschenberger

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 18, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

This is my commandment, that ye love one another, even as I have loved you. (John 15:12)

O Thou, Who is the source of every noble impulse and the goal of every worthy aspiration, we bow in Your presence, praying that humbly and sincerely we receive Your spirit anew into our all-too-human hearts. Grant that in the midst of troubled times and demanding duties we may be sustained by Your presence, supported by Your grace, and strengthened by Your spirit.

Lead us into the fellowship of those who, in an upper room heard Your voice speaking to them and, responding, found in You new life, new light, and new love.

Inspire us with the assurance that You are with us, and may our faith in You give us confidence to face this day with courage and to live through these days with good will. May we be forgiven as we forgive and may we love as we ought to love. In us and in all people may Your name be glorified.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Darrius Roberts, St. Louis, Missouri, sang "The Star-Spangled Banner."

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Taylen Riley, Caitlyn Riley, Grace Gill, Abby Swenson, Alex Gronowski, Ajay Dundoo, Payton Lindeman, Hannah Stark, Kayla Pauley, Aidan Wirrick, Matthew Van Eyck, Mark Van Eyck and Luke Van Eyck.

The Journal of the fifty-seventh day was approved as printed.

PERFECTION OF HOUSE BILL

HCS HBs 1934 & 1654, relating to animal shelter fees, was taken up by Representative Torpey.

HCS HBs 1934 & 1654 was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 85, relating to electronic pull-tab cards, was taken up by Representative Solon.

Representative Weter assumed the Chair.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 85, Page 2, Section 39(b), Line 19, by inserting after the word, “**cards**,” the words, “**after payment of prizes and administrative expenses**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

On motion of Representative Solon, **HJR 85, as amended**, was ordered perfected and printed.

Representative Lampe assumed the Chair.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 2019 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2019** was adopted.

On motion of Representative Silvey, **HCS HB 2019** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HB 1367, relating to state employee performance reviews, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HCS HB 1367** was adopted.

On motion of Representative Fitzwater, **HCS HB 1367** was ordered perfected and printed.

Speaker Tilley assumed the Chair.

HCS HB 1890, relating to health insurance coverage, was taken up by Representative Molendorp.

Representative Franz assumed the Chair.

Representative Koenig offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1890, Page 3, Section 376.1226, Line 15, by inserting after all of said section, the following:

“376.1760. 1. Any physician who prescribes or administers any drug for the purpose of inducing an abortion shall, in addition to complying with the medical malpractice requirements of section 188.043, obtain and maintain in force a tail or occurrence-based insurance policy of at least one million dollars per occurrence and three million dollars in the aggregate per year for personal injury to or death of a child born alive after an attempted abortion. Such policy shall be maintained in force or be in effect until such child reaches his or her twenty-first birthday, or later, under section 516.105.

2. Any physician who knowingly violates the provisions of subsection 1 of this section is guilty of a class D felony.

3. The defense of medical emergency under subsection 2 of section 188.075 shall be available to any physician alleged to have violated the provisions of subsection 1 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (63) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Franz requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

On motion of Representative Koenig, **House Amendment No. 1** was adopted by the following vote:

AYES: 105

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGeoghegan	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schoeller	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 040

Atkins	Aull	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 116	Curtman	Dieckhaus	Franklin	Funderburk
Hough	Jones 117	McManus	Meadows	Nasheed
Nolte	Reiboldt	Scharnhorst	Schneider	Shively
Shumake	Smith 71	Webb		

Representative Molendorp offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1890, Page 3, Section 376.1226, Lines 7-10, by deleting all of said lines and inserting in lieu thereof the following:

“(1) “Covered services”, dental services reimbursable by a health carrier or health benefit plan or third party administrator under an applicable dental plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, copayments, coinsurance, waiting periods, annual or lifetime maximums, alternative benefit payments, or frequency limitations;”; and

Further amend said bill, section and page, Line 15, by inserting after all of said line the following:

“3. A health carrier or health benefit plan or third party administrator shall not provide merely de minimis reimbursement or coverage in an effort to avoid the requirements of this section.

Section 1. The board of trustees of the Missouri consolidated health care plan shall conduct an actuarial analysis and report to the general assembly, on or before December 31, 2012, of the feasibility of including the health plan sponsored by the department of transportation into the Missouri consolidated health care plan. The health plan sponsored by the department of transportation shall provide the Missouri consolidated health care plan actuary the data and funding necessary to perform the actuarial analysis.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 116	Conway 14	Curtman	Dieckhaus	Franklin
Funderburk	Houghton	Jones 117	McCaherty	McManus
Meadows	Nasheed	Reiboldt	Sater	Schneider
Shumake	Silvey	Smith 71	Webb	Wright
Wyatt				

On motion of Representative Molendorp, **HCS HB 1890, as amended**, was adopted.

On motion of Representative Molendorp, **HCS HB 1890, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 1:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Aull.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2216 through House Resolution No. 2290

PERFECTION OF HOUSE BILLS

HCS HB 1637, relating to the Missouri Sound Money Act of 2012, was taken up by Representative Curtman.

Representative Curtman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1637, Page 2, Section 408.010, Line 22, by deleting the word, “**monetary**” and inserting in lieu thereof the words, “**gold or silver**”; and

Further amend said bill, page, section, Lines 31-34, by deleting all of said lines; and

Further amend said bill, section, Page 3, Line 44, by deleting the words, “**director of the division of finance**” and inserting in lieu thereof the words, “**secretary of state**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Curtman, **House Amendment No. 1** was adopted.

Representative Oxford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1637, Page 1, Section 143.111, Line 10, by inserting after all of said section, the following:

“143.171. 1. For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2012**, an individual taxpayer shall be allowed a deduction for his federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2012**, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Wallingford offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1637, Page 1, In the Title, Line 3, by deleting the words, “legal tender” and inserting in lieu thereof the word, “taxation”; and

Further amend said bill, Page 1, Section 143.111, Line 10, by inserting after all of said line the following:

“143.1026. 1. This section shall be known and may be cited as "Sahara's Law".

2. For all taxable years beginning on or after January 1, 2012, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the pediatric cancer research trust fund. If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount the individual or corporation wishes to contribute. Such amounts shall be clearly designated for the fund.

3. There is hereby created in the state treasury the "Pediatric Cancer Research Trust Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. All moneys credited to the trust fund shall be considered nonstate funds under section 15, article IV, Constitution of Missouri. The treasurer shall distribute all moneys deposited in the fund at times the treasurer deems appropriate to CureSearch for children's cancer.

4. The director of revenue shall deposit at least monthly all contributions designated by individuals under this section to the state treasurer for deposit to the fund. The director of revenue shall deposit at least monthly all contributions designated by the corporations under this section, less an amount sufficient to cover the costs of collection and handling by the department of revenue, to the state treasury for deposit to the fund. A contribution designated under this section shall only be deposited in the fund after all other claims against the refund from which such contribution is to be made have been satisfied.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Koenig offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 1637, Page 2, Line 17, by inserting the following:

‘Further amend said bill, Page 2, Section 408.010, Line 9, by deleting the words, “, **except for contractual obligations**”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Koenig, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Wallingford, **House Amendment No. 3, as amended**, was adopted.

On motion of Representative Curtman, **HCS HB 1637, as amended**, was adopted.

On motion of Representative Curtman, **HCS HB 1637, as amended**, was ordered perfected and printed.

Speaker Tilley resumed the Chair.

HCS#2 HB 1323, relating to unlicensed child care providers, was taken up by Representative Black.

Representative Denison offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute No. 2 for House Bill No. 1323, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“544.455. 1. Any person charged with a bailable offense, at his or her appearance before an associate circuit judge or judge may be ordered released pending trial, appeal, or other stage of the proceedings against him on his personal recognizance, unless the associate circuit judge or judge determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the associate circuit judge or judge may either in lieu of or in addition to the above methods of release, impose any or any combination of the following conditions of release which will reasonably assure the appearance of the person for trial:

- (1) Place the person in the custody of a designated person or organization agreeing to supervise him;
- (2) Place restriction on the travel, association, or place of abode of the person during the period of release;
- (3) Require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof **by a defendant or a third party; however, under article I, section 20 of the Missouri Constitution, the court shall accept in lieu of a cash only bond a guarantee from any surety who is in compliance with general laws regulating such profession;**

- (4) Require the person to report regularly to some officer of the court, or peace officer, in such manner as the associate circuit judge or judge directs;

(5) [Require the execution of a bond in a given sum and the deposit in the registry of the court of ten percent, or such lesser percent as the judge directs, of the sum in cash or negotiable bonds of the United States or of the state of Missouri or any political subdivision thereof;

(6)] Place the person on house arrest with electronic monitoring, except that all costs associated with the electronic monitoring shall be charged to the person on house arrest. If the judge finds the person unable to afford the costs associated with electronic monitoring, then the judge shall not order that the person be placed on house arrest with electronic monitoring;

[(7)] (6) Impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

2. In determining which conditions of release will reasonably assure appearance, the associate circuit judge or judge shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or flight to avoid prosecution or failure to appear at court proceedings.

3. An associate circuit judge or judge authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

4. A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the condition reviewed by the associate circuit judge or judge who imposed them. The motion shall be determined promptly.

5. An associate circuit judge or judge ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release; except that, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection 4 **of this section** shall apply.

6. Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

7. Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

8. Persons charged with violations of municipal ordinances may be released by a municipal judge or other judge who hears and determines municipal ordinance violation cases of the municipality involved under the same conditions and in the same manner as provided in this section for release by an associate circuit judge.

9. A circuit court may adopt a local rule authorizing the pretrial release on electronic monitoring pursuant to subdivision (6) of subsection 1 of this section in lieu of incarceration of individuals charged with offenses specifically identified therein.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for House Bill No. 1323, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

“452.374. 1. If criminal charges alleging an act of rape are brought against the putative father of a child conceived as the result of that act of rape, the court shall issue an automatic stay of any paternity proceeding involving both the child and the alleged putative father. The stay shall not be lifted until there is a final disposition of such criminal charges.

2. In any future custody proceeding, any denial of visitation under this section shall not be used against the mother of the child when considering the factor contained in subdivision 4 of subsection 2 of section 452.375.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Schupp offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute No. 2 for House Bill No. 1323, Page 1, Section A, Line 2, by inserting after all of said line the following:

“210.211. 1. It shall be unlawful for any person to establish, maintain or operate a child-care facility for children, or to advertise or hold himself or herself out as being able to perform any of the services as defined in section 210.201, without having in effect a written license granted by the department of health and senior services; except that nothing in sections 210.203 to 210.245 shall apply to:

(1) Any person who is caring for four or fewer children. For purposes of this subdivision, children who are related by blood, marriage or adoption to such person within the third degree shall not be considered in the total number of children being cared for;

(2) Any person who has been duly appointed by a court of competent jurisdiction the guardian of the person of the child or children, or the person who has legal custody of the child or children;

(3) Any person who receives free of charge, and not as a business, for periods not exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or children of personal friends of such person, and who receives custody of no other unrelated child or children;

(4) Any graded boarding school, summer camp, hospital, sanitarium or home which is conducted in good faith primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children;

(5) Any child-care facility maintained or operated under the exclusive control of a religious organization. When a nonreligious organization, having as its principal purpose the provision of child-care services, enters into an arrangement with a religious organization for the maintenance or operation of a child-care facility, the facility is not under the exclusive control of the religious organization;

(6) Any residential facility or day program licensed by the department of mental health pursuant to sections 630.705 to 630.760 which provides care, treatment and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005; and

(7) Any nursery school.

2. Notwithstanding the provisions of subsection 1 of this section, no child-care facility shall be exempt from licensure if such facility receives any state or federal funds for providing care for children, except for federal funds for those programs which meet the requirements for participation in the Child and Adult Care Food Program pursuant to 42 U.S.C. 1766. Grants to parents for child care pursuant to sections 210.201 to 210.257 shall not be construed to be funds received by a person or facility listed in subdivisions (1) and (5) of subsection 1 of this section.

3. Any child-care facility exempt from licensure shall disclose the licensure exempt status of the facility to the parents or guardians of children for which the facility provides care.

210.245. 1. Any person who violates any provision of sections 210.201 to 210.245, or who for such person or for any other person makes materially false statements in order to obtain a license or the renewal thereof pursuant to sections 210.201 to 210.245, [shall be] **is** guilty of an infraction for the first offense and shall be assessed a fine not to exceed two hundred dollars and [shall be] **is** guilty of a class A misdemeanor **and shall be assessed a fine of two hundred dollars per day, not to exceed a total of ten thousand dollars** for subsequent offenses. In case such guilty person is a corporation, association, institution or society, the officers thereof who participate in such misdemeanor shall be subject to the penalties provided by law.

2. If the department of health and senior services proposes to deny, suspend, place on probation or revoke a license, the department of health and senior services shall serve upon the applicant or licensee written notice of the proposed action to be taken. The notice shall contain a statement of the type of action proposed, the basis for it, the date the action will become effective, and a statement that the applicant or licensee shall have thirty days to request in writing

a hearing before the administrative hearing commission and that such request shall be made to the department of health and senior services. If no written request for a hearing is received by the department of health and senior services within thirty days of the delivery or mailing by certified mail of the notice to the applicant or licensee, the proposed discipline shall take effect on the thirty-first day after such delivery or mailing of the notice to the applicant or licensee. If the applicant or licensee makes a written request for a hearing, the department of health and senior services shall file a complaint with the administrative hearing commission within ninety days of receipt of the request for a hearing.

3. The department of health and senior services may issue letters of censure or warning without formal notice or hearing. Additionally, the department of health and senior services may place a licensee on probation pursuant to chapter 621.

4. The department of health and senior services may suspend any license simultaneously with the notice of the proposed action to be taken in subsection 2 of this section, if the department of health and senior services finds that there is a threat of imminent bodily harm to the children in care. The notice of suspension shall include the basis of the suspension and the appeal rights of the licensee pursuant to this section. The licensee may appeal the decision to suspend the license to the department of health and senior services. The appeal shall be filed within ten days from the delivery or mailing by certified mail of the notice of appeal. A hearing shall be conducted by the department of health and senior services within ten days from the date the appeal is filed. The suspension shall continue in effect until the conclusion of the proceedings, including review thereof, unless sooner withdrawn by the department of health and senior services, dissolved by a court of competent jurisdiction or stayed by the administrative hearing commission. Any person aggrieved by a final decision of the department made pursuant to this section shall be entitled to judicial review in accordance with chapter 536.

5. In addition to initiating proceedings pursuant to subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the child-care facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a child-care facility for violating any provision of sections 210.201 to 210.245. The order shall remain in force until such a time as the court determines that the child-care facility is in substantial compliance. If the prosecuting attorney refuses to act or fails to act after receipt of notice from the department of health and senior services, the department of health and senior services may request that the attorney general seek an injunction of the operation of such child-care facility.

6. In cases of imminent bodily harm to children in the care of a child-care facility, the department may file suit in the circuit court of the county in which the child-care facility is located for injunctive relief, which may include removing the children from the facility, overseeing the operation of the facility or closing the facility.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered House Substitute Amendment No. 1 for House Amendment No. 3.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute No. 2 for House Bill No. 1323, Page 1, Section A, Line 2, by inserting after all of said line the following:

“210.211. 1. It shall be unlawful for any person to establish, maintain or operate a child-care facility for children, or to advertise or hold himself or herself out as being able to perform any of the services as defined in section 210.201, without having in effect a written license granted by the department of health and senior services; except that nothing in sections 210.203 to 210.245 shall apply to:

(1) Any person who is caring for four or fewer children. For purposes of this subdivision, children who are related by blood, marriage or adoption to such person within the third degree shall not be considered in the total number of children being cared for;

(2) Any person who has been duly appointed by a court of competent jurisdiction the guardian of the person of the child or children, or the person who has legal custody of the child or children;

(3) Any person who receives free of charge, and not as a business, for periods not exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or children of personal friends of such person, and who receives custody of no other unrelated child or children;

(4) Any graded boarding school, summer camp, hospital, sanitarium or home which is conducted in good faith primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children;

(5) Any child-care facility maintained or operated under the exclusive control of a religious organization. When a nonreligious organization, having as its principal purpose the provision of child-care services, enters into an arrangement with a religious organization for the maintenance or operation of a child-care facility, the facility is not under the exclusive control of the religious organization;

(6) Any residential facility or day program licensed by the department of mental health pursuant to sections 630.705 to 630.760 which provides care, treatment and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005; and

(7) Any nursery school.

2. Notwithstanding the provisions of subsection 1 of this section, no child-care facility shall be exempt from licensure if such facility receives any state or federal funds for providing care for children, except for federal funds for those programs which meet the requirements for participation in the Child and Adult Care Food Program pursuant to 42 U.S.C. 1766. Grants to parents for child care pursuant to sections 210.201 to 210.257 shall not be construed to be funds received by a person or facility listed in subdivisions (1) and (5) of subsection 1 of this section.

3. No child-care facility exempt from licensure shall assert to any parent or guardian of children for which the facility provides care that the facility is licensed when such facility is in fact not licensed.

210.245. 1. Any person who violates any provision of sections 210.201 to 210.245, or who for such person or for any other person makes materially false statements in order to obtain a license or the renewal thereof pursuant to sections 210.201 to 210.245, [shall be] **is guilty of an infraction for the first offense and shall be assessed a fine not to exceed two hundred dollars and [shall be] is guilty of a class A misdemeanor and shall be assessed a fine of two hundred dollars per day, not to exceed a total of ten thousand dollars** for subsequent offenses. In case such guilty person is a corporation, association, institution or society, the officers thereof who participate in such misdemeanor shall be subject to the penalties provided by law.

2. If the department of health and senior services proposes to deny, suspend, place on probation or revoke a license, the department of health and senior services shall serve upon the applicant or licensee written notice of the proposed action to be taken. The notice shall contain a statement of the type of action proposed, the basis for it, the date the action will become effective, and a statement that the applicant or licensee shall have thirty days to request in writing a hearing before the administrative hearing commission and that such request shall be made to the department of health and senior services. If no written request for a hearing is received by the department of health and senior services within thirty days of the delivery or mailing by certified mail of the notice to the applicant or licensee, the proposed discipline shall take effect on the thirty-first day after such delivery or mailing of the notice to the applicant or licensee. If the applicant or licensee makes a written request for a hearing, the department of health and senior services shall file a complaint with the administrative hearing commission within ninety days of receipt of the request for a hearing.

3. The department of health and senior services may issue letters of censure or warning without formal notice or hearing. Additionally, the department of health and senior services may place a licensee on probation pursuant to chapter 621.

4. The department of health and senior services may suspend any license simultaneously with the notice of the proposed action to be taken in subsection 2 of this section, if the department of health and senior services finds that there is a threat of imminent bodily harm to the children in care. The notice of suspension shall include the basis of the suspension and the appeal rights of the licensee pursuant to this section. The licensee may appeal the decision to suspend the license to the department of health and senior services. The appeal shall be filed within ten days from the delivery or mailing by certified mail of the notice of appeal. A hearing shall be conducted by the department of health and senior services within ten days from the date the appeal is filed. The suspension shall continue in effect until the conclusion of the proceedings, including review thereof, unless sooner withdrawn by the department of health and senior services, dissolved by a court of competent jurisdiction or stayed by the administrative hearing commission. Any person aggrieved by a final decision of the department made pursuant to this section shall be entitled to judicial review in accordance with chapter 536.

5. In addition to initiating proceedings pursuant to subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the child-care facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a child-care facility for violating any provision of sections 210.201 to 210.245. The order shall remain in force until such a time as the court determines that the child-care facility is in substantial compliance. If the prosecuting attorney refuses to act or fails to act after receipt of notice from the department of health and senior services, the department of health and senior services may request that the attorney general seek an injunction of the operation of such child-care facility.

6. In cases of imminent bodily harm to children in the care of a child-care facility, the department may file suit in the circuit court of the county in which the child-care facility is located for injunctive relief, which may include removing the children from the facility, overseeing the operation of the facility or closing the facility.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

On motion of Representative Black, **HCS#2 HB 1323, as amended**, was adopted.

On motion of Representative Black, **HCS#2 HB 1323, as amended**, was ordered perfected and printed.

Representative Nolte assumed the Chair.

HCS HBs 1934 & 1654, relating to animal shelter fees, was again taken up by Representative Torpey.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1934 & 1654, Page 1, Section 273.327, Line 9, by placing brackets “[]” around the phrase “two thousand”; and

Further amend said bill, page, and section, Line 17, by deleting the words “**at his or her discretion**” and inserting in lieu thereof the words “**upon promulgation of rules**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Guernsey offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 1934 & 1654, Page 1, Line 2, by deleting all of said line and inserting in lieu thereof the following:

‘273.327, Line 10, by inserting after the word “year” the following:

“, **except for commercial breeders for which the license fee shall range from one hundred to one thousand dollars per year**”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Cox, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Torpey, **HCS HBs 1934 & 1654, as amended**, was adopted.

On motion of Representative Torpey, **HCS HBs 1934 & 1654, as amended**, was ordered perfected and printed.

HCS HBs 1574 & 1097, relating to a driver's license veteran designation, was taken up by Representative Meadows.

On motion of Representative Meadows, **HCS HBs 1574 & 1097** was adopted.

On motion of Representative Meadows, **HCS HBs 1574 & 1097** was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 959 - Rules

HR 1773 - Rules

HR 1880 - Tourism and Natural Resources

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 48 - Agriculture Policy

HCR 54 - Children and Families

HCR 57 - Downsizing State Government

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 85 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1359 - Fiscal Review

HCS HB 1476 - Fiscal Review

HCS HB 1637 - Fiscal Review

HCS HB 1890 - Fiscal Review

HB 1078 - Health Care Policy

HB 1089 - Economic Development

HB 1090 - Economic Development

HB 1132 - Transportation
HB 1178 - Tourism and Natural Resources
HB 1262 - Elementary and Secondary Education
HB 1279 - Workforce Development and Workplace Safety
HB 1284 - Crime Prevention and Public Safety
HB 1321 - Ways and Means
HB 1343 - Health Care Policy
HB 1346 - Professional Registration and Licensing
HB 1374 - Elementary and Secondary Education
HB 1405 - Health Care Policy
HB 1409 - Financial Institutions
HB 1410 - Corrections
HB 1411 - Crime Prevention and Public Safety
HB 1412 - Small Business
HB 1433 - Agri-Business
HB 1443 - Transportation
HB 1472 - Retirement
HB 1478 - Ways and Means
HB 1499 - Veterans
HB 1514 - Judiciary
HB 1528 - Crime Prevention and Public Safety
HB 1544 - Financial Institutions
HB 1561 - General Laws
HB 1575 - Transportation
HB 1583 - Judiciary
HB 1599 - Judiciary
HB 1601 - Tourism and Natural Resources
HB 1603 - Health Insurance
HB 1620 - Professional Registration and Licensing
HB 1645 - Judiciary
HB 1653 - Elections
HB 1657 - Economic Development
HB 1664 - Judiciary
HB 1667 - Judiciary
HB 1669 - Transportation
HB 1670 - Transportation
HB 1686 - General Laws
HB 1696 - General Laws
HB 1720 - Tourism and Natural Resources
HB 1721 - Crime Prevention and Public Safety
HB 1729 - Judiciary
HB 1732 - Elementary and Secondary Education
HB 1764 - Corrections
HB 1792 - Elementary and Secondary Education
HB 1796 - Agriculture Policy
HB 1797 - General Laws
HB 1798 - Economic Development

HB 1800 - Agri-Business
HB 1801 - Economic Development
HB 1812 - Local Government
HB 1814 - Small Business
HB 1819 - Elementary and Secondary Education
HB 1839 - Transportation
HB 1849 - Professional Registration and Licensing
HB 1850 - Special Standing Committee on Renewable Energy
HB 1851 - Crime Prevention and Public Safety
HB 1861 - International Trade and Job Creation
HB 1866 - Ways and Means
HB 1871 - International Trade and Job Creation
HB 1885 - Professional Registration and Licensing
HB 1887 - Tax Reform
HB 1889 - Transportation
HB 1893 - Elementary and Secondary Education
HB 1894 - Crime Prevention and Public Safety
HB 1899 - Transportation
HB 1901 - Elections
HB 1903 - General Laws
HB 1907 - Children and Families
HB 1916 - Crime Prevention and Public Safety
HB 1917 - Elections
HB 1920 - Elementary and Secondary Education
HB 1923 - Elementary and Secondary Education
HB 1924 - Special Standing Committee on Renewable Energy
HB 1925 - Higher Education
HB 1926 - Special Standing Committee on Renewable Energy
HB 1927 - Elementary and Secondary Education
HB 1928 - Health Care Policy
HB 1929 - Elections
HB 1930 - Elementary and Secondary Education
HB 1931 - Health Insurance
HB 1932 - Elementary and Secondary Education
HB 1945 - Local Government
HB 1968 - General Laws
HB 1993 - Children and Families
HB 1995 - Workforce Development and Workplace Safety
HB 2031 - Elections
HB 2032 - Local Government
HB 2035 - Transportation
HB 2036 - Elementary and Secondary Education
HB 2037 - Elementary and Secondary Education
HB 2039 - Elementary and Secondary Education
HB 2040 - Transportation
HB 2041 - Economic Development
HB 2042 - Children and Families

HB 2049 - Crime Prevention and Public Safety
HB 2051 - Elementary and Secondary Education
HB 2052 - Transportation
HB 2054 - Elementary and Secondary Education
HB 2055 - Elementary and Secondary Education
HB 2060 - Workforce Development and Workplace Safety
HB 2061 - Transportation
HB 2075 - General Laws
HB 2086 - Elections
HB 2087 - Agri-Business
HB 2088 - Agri-Business
HB 2090 - Ways and Means
HB 2095 - Agriculture Policy
HB 2096 - Local Government
HB 2097 - Workforce Development and Workplace Safety
HB 2101 - Local Government
HB 2106 - Downsizing State Government
HB 2107 - Judiciary
HB 2110 - Local Government

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 568 - Fiscal Review
SS SB 749 - Health Insurance

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1585**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 591**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 578**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 594**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1397**, begs leave to report it has examined the same and recommends that it **Do Pass**.

COMMITTEE CHANGES

April 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Holsman from the Committee on Rules and appoint Representative Rizzo.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

April 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Rizzo from the Committee on Fiscal Review and appoint Representative Holsman.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

The following members' presence was noted: Nasheed, Schneider, Shumake, Smith (71) and Webb.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, April 19, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 19, 2012, 9:00 AM House Hearing Room 7.
Executive session will be held: SCS SB 631
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Review of DSS, DMH, & DHSS operations and policies

DOWNSIZING STATE GOVERNMENT

Thursday, April 19, 2012, 9:00 AM House Hearing Room 4.
Executive session will be held: HJR 60

FISCAL REVIEW

Thursday, April 19, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

INSURANCE POLICY

Thursday, April 19, 2012, 8:30 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
The committee will meet in executive session.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting
CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd quarter meeting

AMENDED

RULES

Thursday, April 19, 2012, 9:30 AM House Hearing Room 6.

Public hearing will be held: HR 1365

Executive session will be held: HR 1365

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, April 19, 2012, 9:30 AM House Hearing Room 6.

Executive session will be held: HCR 43, HCR 47, HCR 52, HCS HB 1245, HCS HB 1254, HCS HBs 1741 & 1543, HCS HBs 1542 & 1101, HCS HB 1754, HCS HB 1815, HCS HB 1900, HB 1842, HCS HB 1922, HCS HB 1935, HB 2063, HB 2099, HCS HB 2100, SB 564, HCS SCS SB 569, SS SB 607, SB 611, SS SCS SB 719

Executive session may be held on any or all bills which may be referred to this committee.

HOUSE CALENDAR

FIFTY-NINTH DAY, THURSDAY, APRIL 19, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1540 - Jones (89)
- 4 HB 1455 - Gatschenberger
- 5 HCS HB 1869 - Dugger
- 6 HCS HB 1117 - Brown (50)
- 7 HCS#2 HB 1475 - Cross
- 8 HB 1592 - Jones (89)
- 9 HB 1718, (2 hours debate on Perfection) - Scharnhorst
- 10 HCS HB 1865 - Barnes
- 11 HCS HB 1049 - Allen
- 12 HCS HB 1210 - Gatschenberger
- 13 HCS HB 1280 - Korman
- 14 HCS HB 1758 - Long
- 15 HCS HB 1795 - Ruzicka
- 16 HCS HB 1803 - Korman
- 17 HCS HB 1818 - Schad

- 18 HCS HB 1966 - Burlison
- 19 HCS HB 1137 - Lauer
- 20 HCS HB 1328 - Cox
- 21 HB 1779 - Flanigan
- 22 HCS HB 1794 - Grisamore
- 23 HCS HB 1854 - Grisamore

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS HJR 61 - Loehner
- 2 HJR 85, (Fiscal Review 4/18/12) - Solon

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 2019 - Silvey

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee
- 5 HCS HB 1717, (Fiscal Review 4/17/12) - Kelley (126)
- 6 HB 1534, (Fiscal Review 4/17/12) - Bahr
- 7 HCS HB 1661, (Fiscal Review 4/17/12) - Hoskins
- 8 HCS HB 1211 - Dieckhaus
- 9 HCS HB 1826 - Fitzwater
- 10 HCS HB 1860 - Guernsey
- 11 HCS HB 1342 - Smith (150)
- 12 HB 1359, (Fiscal Review 4/18/12) - Smith (150)
- 13 HCS HB 1274 - Koenig
- 14 HCS HB 1476, (Fiscal Review 4/18/12), E.C. - Leara
- 15 HCS HB 1364 - Schieffer
- 16 HCS HB 1521 - Sommer
- 17 HCS HB 1367 - Fitzwater
- 18 HCS HB 1890, (Fiscal Review 4/18/12) - Molendorp
- 19 HCS HB 1637, (Fiscal Review 4/18/12) - Curtman
- 20 HCS#2 HB 1323 - Black
- 21 HCS HBs 1934 & 1654 - Torpey
- 22 HCS HBs 1574 & 1097 - Meadows

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 6 - Rowland
- 2 HCR 46 - Franklin
- 3 HCR 49 - Fallert
- 4 HCR 18 - Walton Gray

SENATE BILLS FOR THIRD READING

- 1 HCS SB 568, (Fiscal Review 4/18/12) - Franz
- 2 SB 736 - Gatschenberger

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-NINTH DAY, THURSDAY, APRIL 19, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I am the vine, ye are the branches. He that abideth in Me, and I in Him the same bringeth forth much fruit; for without Me ye can do nothing. (John 15:5)

O Lord, Who is the source of light and life, and the fountain of peace and power, let Your spirit arise within us as we worship You this moment. Open our hearts that we may receive the good seeds of Your Word and let Your spirit ripen them into the fruits of righteousness and love.

Prosper our state in all its life and work that there may be no want anywhere and favor us with Your presence that good will may reign in the hearts of all our people.

Bless our Speaker and all these representatives of our state - may they be filled with Your spirit, the spirit of wisdom and understanding, of faith, and of love. Undergird us in our freedom that we may be forever the land of the free and the home of the brave. May You be with us and may we be with You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Raniyah Hendrix.

The Journal of the fifty-eighth day was approved as corrected.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 85**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1359**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1476**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1534**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1637**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1661**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1717**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1890**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SB 568**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HB 1534, relating to the Federal Health Care Reform Law, was taken up by Representative Bahr.

Representative Oxford assumed the Chair.

On motion of Representative Bahr, **HB 1534** was read the third time and passed by the following vote:

AYES: 108

Allen	Asbury	Bahr	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
Marshall	McCaherty	McGhee	McNary	Meadows
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150

Solon	Sommer	Stream	Swinger	Thomson
Torpey	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 044

Anders	Atkins	Aull	Carlson	Carter
Colona	Conway 27	Ellinger	Ellington	Hodges
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 010

Barnes	Brown 50	Funderburk	Holsman	Johnson
Jones 117	McManus	Wallingford	Webber	Wells

Representative Oxford declared the bill passed.

HCS HB 1717, relating to withholding tax filing requirements, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HCS HB 1717** was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Hoskins
Hough	Houghton	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swinger

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Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 039

Atkins	Black	Carlson	Carter	Colona
Ellinger	Ellington	Hubbard	Hughes	Hummel
Jones 63	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Funderburk	Higdon	Holsman	Johnson
Jones 117	McManus	Webber		

Representative Oxford declared the bill passed.

Speaker Tilley resumed the Chair.

HCS HB 1661, relating to a tax deduction for job creation, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HCS HB 1661** was read the third time and passed by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hughes
Hummel	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Meadows	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller

Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 019

Carlson	Ellinger	Ellington	Kirkton	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Morgan	Oxford	Pace	Pierson	Schupp
Smith 71	Spreng	Still	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 016

Bernskoetter	Carter	Day	Dugger	Funderburk
Holsman	Hubbard	Johnson	Jones 117	McManus
Molendorp	Richardson	Sater	Scharnhorst	Webb
Webber				

Speaker Tilley declared the bill passed.

Representative Brown (50) assumed the Chair.

HCS HB 1211, relating to local courts, was taken up by Representative Dieckhaus.

On motion of Representative Dieckhaus, **HCS HB 1211** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland

Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

Ellington	Hughes	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Day	Dugger	Funderburk	Holsman
Hubbard	Johnson	Jones 117	McCaherty	McManus
Nolte	Sater	Scharnhorst	Webb	Webber

Representative Brown (50) declared the bill passed.

Speaker Tilley resumed the Chair.

THIRD READING OF SENATE BILL

SB 736, relating to St. Francois County special road tax, was taken up by Representative Gatschenberger.

Representative Zerr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 736, Page 1, Line 3 of the Title, by deleting said line and inserting in lieu thereof the following:

“to special county taxes, with an emergency clause for certain sections.”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after said line the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)] (7) "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)] (8) "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a

population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)] (9) "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district, **including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. 1. The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. **In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.**

3. The [tax] **taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the [proposed] metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. 1. **For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712**, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of, state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall County join such other of (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to County for local park improvements, all as authorized by the (insert name of governing body) of County pursuant to (insert ordinance number), on the . . . day of . . . (insert month), . . . (insert year)?

☐ YES

☐ NO

2. **For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712**, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing

expanded activities and improvements of such areas, shall (insert county name) County join such other of (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to (insert county name) County for local and county park improvements as authorized by the (insert governing body name) of (insert county name) County under (insert ordinance number), on the (insert day) day of (insert month), (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?."

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and [sections] **subsection 1 of section 67.1715 and in section 67.1718.**

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769. **No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754;**

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district. **Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712;**

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. **1.** The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the

establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization."; and

Further amend said bill, Page 2, Section 137.556, Line 19, by inserting after all of said line the following:

“Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency

act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 1** was adopted.

On motion of Representative Gatschenberger, **SB 736, as amended**, was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McNary	McNeil
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 008

Brattin	Curtman	Hughes	Koenig	Marshall
Parkinson	Schieber	Smith 71		

PRESENT: 001

Meadows

ABSENT WITH LEAVE: 017

Carter	Day	Ellington	Franklin	Funderburk
Holsman	Hubbard	Johnson	Jones 117	Largent
McManus	Molendorp	Nasheed	Sater	Scharnhorst
Webb	Webber			

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 117

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 116	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Jones 63	Jones 89	Kander	Keeney	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McNary	McNeil
Montecillo	Morgan	Nance	Neth	Nichols
Nolte	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 020

Berry	Brattin	Brown 85	Curtman	Fuhr
Kirkton	Koenig	Leach	Marshall	McCreery
Newman	Oxford	Pace	Parkinson	Pierson
Schieber	Smith 71	Spreng	Taylor	Walton Gray

PRESENT: 001

Meadows

ABSENT WITH LEAVE: 025

Brown 50	Carter	Cookson	Day	Ellinger
Ellington	Funderburk	Higdon	Holsman	Hubbard
Hughes	Johnson	Jones 117	Kelley 126	Largent
McManus	Molendorp	Nasheed	Phillips	Richardson
Sater	Scharnhorst	Still	Webb	Webber

Representative Brown (50) resumed the Chair.

HCS HB 1826, relating to offenders under department custody, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HCS HB 1826** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Richardson

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Day	Dieckhaus	Funderburk	Holsman
Hubbard	Hughes	Johnson	Jones 117	Largent
Lasater	McManus	Molendorp	Scharnhorst	Still
Webb	Webber			

Representative Brown (50) declared the bill passed.

HCS HB 1860, relating to agriculture, was taken up by Representative Guernsey.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Jones 89	Keeney	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hughes	Hummel
Jones 63	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 028

Carter	Colona	Cookson	Curtman	Day
Franz	Fuhr	Funderburk	Gatschenberger	Holsman
Hubbard	Johnson	Jones 117	Kander	Kelley 126
Kelly 24	May	McGhee	McManus	Molendorp
Nasheed	Nolte	Sater	Schneider	Walton Gray
Webb	Webber	Mr Speaker		

On motion of Representative Guernsey, **HCS HB 1860** was read the third time and passed by the following vote:

AYES: 108

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Meadows
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 032

Anders	Atkins	Carlson	Ellinger	Ellington
Hughes	Hummel	Jones 63	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Walton Gray	White			

PRESENT: 000

ABSENT WITH LEAVE: 023

Carter	Colona	Curtman	Day	Fuhr
Funderburk	Gatschenberger	Holsman	Hubbard	Johnson
Jones 117	Kander	Kelly 24	May	McGhee
McManus	Molendorp	Nasheed	Nolte	Sater
Schneider	Webb	Webber		

Representative Brown (50) declared the bill passed.

Representative Casey assumed the Chair.

THIRD READING OF SENATE BILL

HCS SB 568, relating to motor vehicle operation, was taken up by Representative Franz.

HCS SB 568 was laid over.

THIRD READING OF HOUSE BILLS

HCS HB 1342, relating to recovery of attorney fees, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1342** was read the third time and passed by the following vote:

AYES: 089

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Nance	Neth	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Silvey	Smith 150	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 050

Anders	Atkins	Aull	Barnes	Black
Brown 50	Carlson	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hughes
Hummel	Jones 63	Kirkton	Kratky	Lampe
Lichtenegger	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray

PRESENT: 000

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ABSENT WITH LEAVE: 024

Carter	Colona	Day	Elmer	Fuhr
Funderburk	Holsman	Hubbard	Johnson	Jones 117
Kander	Kelly 24	May	McManus	Molendorp
Nasheed	Nolte	Pollock	Ruzicka	Sater
Schneider	Shumake	Webb	Webber	

Representative Casey declared the bill passed.

HB 1359, relating to state contracts and assessments, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HB 1359** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 003

Hughes	Schupp	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 022

Bernskoetter	Carter	Colona	Curtman	Day
Diehl	Funderburk	Holsman	Hubbard	Johnson
Jones 117	Kelly 24	May	McManus	Molendorp
Nasheed	Nolte	Pollock	Ruzicka	Sater
Webb	Webber			

Representative Casey declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

HCS HB 1476, relating to the Freight Forwarders Incentive Act, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HB 1476** was read the third time and passed by the following vote:

AYES: 097

Allen	Anders	Atkins	Aull	Black
Brandom	Brown 50	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Conway 27	Cookson	Cox
Davis	Denison	Diehl	Ellinger	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Gatschenberger
Gosen	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hummel
Jones 63	Jones 89	Kander	Kelley 126	Korman
Kratky	Lair	Lampe	Lant	Largent
Leara	Loehner	Long	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Neth
Newman	Nichols	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schad	Scharnhorst	Schatz	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Sommer	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Torpey	Wallingford	Walton Gray	Weter	Wieland
Wright	Zerr			

NOES: 042

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brattin	Brown 85	Burlison	Conway 14	Crawford
Cross	Curtman	Dugger	Elmer	Entlicher
Franklin	Franz	Frederick	Fuhr	Guernsey
Hodges	Hughes	Keeney	Kirkton	Klippenstein
Koenig	Lasater	Lauer	Leach	Lichtenegger
Marshall	Nance	Oxford	Parkinson	Schieber
Schneider	Solon	Swinger	Thomson	Wells
White	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 024

Carter	Colona	Day	Dieckhaus	Ellington
Funderburk	Grisamore	Holsman	Hubbard	Johnson
Jones 117	Kelly 24	May	McManus	Molendorp
Nasheed	Nolte	Pace	Pollock	Ruzicka
Sater	Webb	Webber	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 089

Allen	Anders	Atkins	Black	Brandom
Brown 50	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 27	Cookson	Cox	Crawford
Davis	Denison	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Gatschenberger	Gosen	Grisamore	Haefner
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Hummel	Jones 63	Jones 89	Kander
Kelley 126	Korman	Kratky	Lair	Lampe
Lant	Leara	Loehner	Long	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Phillips	Pierson	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Schad
Scharnhorst	Schatz	Schieffer	Schoeller	Shumake
Sifton	Silvey	Smith 71	Smith 150	Still
Stream	Talboy	Torpey	Wallingford	Walton Gray
Weter	Wieland	Wright	Zerr	

NOES: 049

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown 85	Burlison	Conway 14
Cross	Curtman	Dugger	Franklin	Franz
Frederick	Fuhr	Guernsey	Hampton	Hodges
Hughes	Keeney	Kirkton	Klippenstein	Koenig
Lasater	Lauer	Leach	Lichtenegger	Marshall
McCreery	Nance	Neth	Oxford	Parkinson
Quinn	Schieber	Schneider	Schupp	Shively
Solon	Sommer	Spreng	Swinger	Taylor
Thomson	Wells	White	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 025

Carter	Colona	Day	Dieckhaus	Ellington
Funderburk	Holsman	Hubbard	Johnson	Jones 117
Kelly 24	Largent	May	McManus	Molendorp
Nasheed	Nolte	Pace	Pollock	Ruzicka
Sater	Swearingen	Webb	Webber	Mr Speaker

HCS HB 1364, relating to rodeos, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HCS HB 1364** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hughes	Hummel
Jones 89	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Neth	Nichols	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 011

Atkins	Carlson	Ellington	Jones 63	Kirkton
McCreery	Newman	Oxford	Schupp	Smith 71
Spreng				

PRESENT: 000

ABSENT WITH LEAVE: 023

Carter	Colona	Day	Dieckhaus	Funderburk
Gatschenberger	Holsman	Hubbard	Johnson	Jones 117
Kelly 24	May	McManus	Molendorp	Nasheed
Nolte	Pace	Sater	Silvey	Talboy
Webb	Webber	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1521, relating to property tax bills, was taken up by Representative Sommer.

On motion of Representative Sommer, **HCS HB 1521** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Casey	Cauthorn	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Brown 116	Carter	Cierpiot	Colona	Day
Dieckhaus	Funderburk	Holsman	Hubbard	Hughes
Johnson	Jones 117	Kelly 24	May	McManus
Molendorp	Nasheed	Nolte	Pace	Sater
Scharnhorst	Webb	Webber	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1367, relating to state employee performance reviews, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HCS HB 1367** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 005

Carlson	McCreery	Schupp	Smith 71	Walton Gray
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PRESENT: 000

ABSENT WITH LEAVE: 023

Carter	Colona	Day	Funderburk	Grisamore
Holsman	Hubbard	Hughes	Johnson	Jones 117
Kelly 24	May	McManus	Molendorp	Nasheed
Nolte	Pace	Riddle	Sater	Scharnhorst
Webb	Webber	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1637, relating to legal tender and cancer research, was taken up by Representative Curtman.

Representative Curtman moved that **HCS HB 1637** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 081

Asbury	Bahr	Berry	Brandom	Brattin
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Cross	Curtman	Denison
Dieckhaus	Diehl	Elmer	Fisher	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McGhee	McNary
Nance	Neth	Parkinson	Phillips	Quinn
Reiboldt	Richardson	Rowland	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 042

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hughes	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pierson	Rizzo	Schieffer	Schupp
Sifton	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 039

Allen	Barnes	Bernskoetter	Brown 85	Carter
Colona	Crawford	Davis	Day	Dugger
Entlicher	Fitzwater	Flanigan	Fuhr	Funderburk
Haefner	Holsman	Houghton	Hubbard	Johnson
Jones 117	Kelly 24	Korman	May	McManus
Molendorp	Nasheed	Nolte	Pace	Pollock
Redmon	Riddle	Ruzicka	Sater	Schneider
Smith 71	Webb	Webber	Mr Speaker	

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2291 through House Resolution No. 2326

MOTIONS

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 121

Allen	Anders	Asbury	Aull	Bahr
Barnes	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Jones 63	Jones 89
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McGhee	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wells	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 015

Atkins	Bernskoetter	Black	Cierpiot	Conway 27
Cox	Ellington	Harris	Hodges	Hummel
McDonald	McGeoghegan	Schupp	Shively	Swearingen

ABSENT WITH LEAVE: 027

Carter	Colona	Day	Flanigan	Funderburk
Holsman	Hubbard	Hughes	Johnson	Jones 117
Kander	Kelly 24	May	McManus	Molendorp
Pace	Pierson	Pollock	Quinn	Sater
Schieffer	Wallingford	Walton Gray	Webb	Webber
Weter	Mr Speaker			

Representative Meadows, having voted on the prevailing side, moved that the vote by which **HCS HB 1637** was defeated on Third Reading and Final Passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wells	White	Wieland
Wright	Wyatt	Zerr		

NOES: 039

Atkins	Aull	Black	Brown 50	Carlson
Casey	Conway 27	Ellinger	Fallert	Harris
Hodges	Hummel	Jones 63	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	

PRESENT: 000

ABSENT WITH LEAVE: 026

Carter	Colona	Day	Ellington	Flanigan
Funderburk	Holsman	Hubbard	Hughes	Johnson
Jones 117	Kander	Kelly 24	May	McManus
Molendorp	Pace	Pierson	Sater	Schieffer
Wallingford	Walton Gray	Webb	Webber	Weter
Mr Speaker				

THIRD READING OF HOUSE BILLS

HCS HB 1637, relating to legal tender and cancer research, was again taken up by Representative Curtman.

On motion of Representative Curtman, **HCS HB 1637** was read the third time and passed by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wells
White	Wieland	Wright	Wyatt	Zerr

NOES: 037

Anders	Atkins	Aull	Black	Carlson
Casey	Conway 27	Ellinger	Fallert	Harris
Hodges	Hummel	Jones 63	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Swearingen
Talboy	Taylor			

PRESENT: 001

Marshall

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ABSENT WITH LEAVE: 030

Brown 50	Carter	Colona	Day	Ellington
Flanigan	Funderburk	Holsman	Hubbard	Hughes
Johnson	Jones 117	Kander	Kelly 24	May
McManus	Molendorp	Pace	Pierson	Quinn
Sater	Schieffer	Still	Swinger	Wallingford
Walton Gray	Webb	Webber	Weter	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

HCS#2 HB 1323, relating to child care, paternity and bail bonds, was taken up by Representative Black.

On motion of Representative Black, **HCS#2 HB 1323** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Jones 63	Jones 89
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wells	White	Wieland	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 028

Carter	Colona	Day	Flanigan	Funderburk
Holsman	Hubbard	Hughes	Johnson	Jones 117
Kander	Kelly 24	May	McManus	Molendorp
Pace	Phillips	Pierson	Sater	Schieffer
Smith 71	Wallingford	Walton Gray	Webb	Webber
Weter	Wright	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 1574 & 1097, relating to driver's license veteran designation, was taken up by Representative Meadows.

On motion of Representative Meadows, **HCS HBs 1574 & 1097** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Jones 63	Jones 89	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Montecillo	Morgan	Nance	Neth	Newman
Nolte	Oxford	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wells	White	Wieland	Wyatt	Zerr

NOES: 001

Nasheed

PRESENT: 000

ABSENT WITH LEAVE: 032

Brown 50	Carter	Colona	Day	Denison
Flanigan	Fuhr	Funderburk	Holsman	Hubbard
Hughes	Johnson	Jones 117	Kander	Kelly 24
May	McManus	Molendorp	Nichols	Pace
Pierson	Sater	Schieffer	Schneider	Smith 71
Wallingford	Walton Gray	Webb	Webber	Weter
Wright	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 1934 & 1654, relating to animal shelter fees, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HBs 1934 & 1654** was read the third time and passed by the following vote:

AYES: 098

Allen	Anders	Atkins	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Casey	Cierpiot
Conway 14	Conway 27	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Ellinger
Ellington	Elmer	Fallert	Fraker	Franklin
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Hummel	Jones 89	Keeney
Kelley 126	Kirkton	Koenig	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Parkinson	Phillips
Richardson	Rizzo	Rowland	Ruzicka	Scharnhorst
Schieber	Schneider	Schupp	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wieland	Zerr		

NOES: 034

Asbury	Aull	Bahr	Brattin	Cauthorn
Cookson	Cox	Dugger	Entlicher	Fisher
Fitzwater	Franz	Fuhr	Hampton	Houghton
Klippenstein	Korman	Lant	Lasater	Lichtenegger
Loehner	Nolte	Pollock	Quinn	Redmon
Reiboldt	Schad	Schatz	Schoeller	Shively
Swinger	Wells	White	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 031

Carter	Colona	Day	Flanigan	Funderburk
Holsman	Hubbard	Hughes	Johnson	Jones 63
Jones 117	Kander	Kelly 24	May	McManus
Molendorp	Morgan	Pace	Pierson	Riddle
Sater	Schieffer	Smith 71	Spreng	Wallingford
Walton Gray	Webb	Webber	Weter	Wright
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1274, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Koenig.

On motion of Representative Koenig, **HCS HB 1274** was read the third time and passed by the following vote:

AYES: 109

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Meadows
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wells
White	Wieland	Wyatt	Zerr	

NOES: 024

Atkins	Carlson	Ellinger	Ellington	Hummel
Kirkton	Lampe	McCann Beatty	McCreery	McDonald
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Rizzo	Schupp	Sifton
Still	Swearingen	Talboy	Taylor	

PRESENT: 000

ABSENT WITH LEAVE: 030

Carter	Colona	Day	Dugger	Flanigan
Funderburk	Holsman	Hubbard	Hughes	Johnson
Jones 63	Jones 117	Kander	Kelly 24	May
McManus	Molendorp	Pace	Pierson	Sater
Schieffer	Smith 71	Spreng	Wallingford	Walton Gray
Webb	Webber	Weter	Wright	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 2019, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2019** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Jones 89	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Talboy	Taylor
Thomson	Torpey	Wells	White	Wieland
Wyatt	Zerr			

NOES: 001

Swinger

PRESENT: 000

ABSENT WITH LEAVE: 030

Carter	Colona	Day	Dugger	Flanigan
Funderburk	Holsman	Hubbard	Hughes	Johnson
Jones 63	Jones 117	Kander	Kelly 24	May
McManus	Molendorp	Pace	Pierson	Sater
Schieffer	Smith 71	Spreng	Wallingford	Walton Gray
Webb	Webber	Weter	Wright	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 85, relating to electronic pull-tab cards, was taken up by Representative Solon.

On motion of Representative Solon, **HJR 85** was read the third time and passed by the following vote:

AYES: 121

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Diehl	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Hoskins	Hough
Houghton	Jones 89	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Morgan
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wells	White	Wieland	Wyatt
Zerr				

NOES: 007

Asbury	McCreery	Montecillo	Newman	Oxford
Pollock	Still			

PRESENT: 000

ABSENT WITH LEAVE: 035

Carter	Colona	Cox	Day	Dieckhaus
Dugger	Ellinger	Flanigan	Funderburk	Higdon
Holsman	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 117	Kander	Kelly 24	May
McManus	Molendorp	Pace	Pierson	Sater
Schieffer	Smith 71	Spreng	Wallingford	Walton Gray
Webb	Webber	Weter	Wright	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 1865, relating to economic development incentives, was taken up by Representative Barnes.

HCS HB 1865 was laid over.

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCS SB 631**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1357**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HJR 60**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SS SCS SB 469**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SCS SB 635**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SCS SB 726**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **SS SCS SB 595**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1365**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1245**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1254**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1542 & 1101**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1741 & 1543**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1754**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1815**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1842**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1900**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1922**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1935**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2063**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2099**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2100**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 564**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 569**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 611**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 719**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 448**, entitled:

An act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof three new sections relating to child care providers, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 510**, entitled:

An act to repeal section 137.076, RSMo, and to enact in lieu thereof one new section relating to assessment of real property for tax purposes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 576**, entitled:

An act to repeal sections 29.205, 160.400, 160.405, 160.410, 160.415, and 160.420, RSMo, and to enact in lieu thereof nine new sections relating to charter schools.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 677**, entitled:

An act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 682**, entitled:

An act to amend chapter 334, RSMo, by adding thereto one new section relating to interventional pain management.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 739**, entitled:

An act to repeal section 454.475, RSMo, and to enact in lieu thereof one new section relating to administrative child support decisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 758**, entitled:

An act to repeal sections 210.135 and 210.145, RSMo, and to enact in lieu thereof two new sections relating to child abuse and neglect.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Johnson.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, April 23, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-eighth Day, Wednesday, April 18, 2012, Page 1101, Line 6, by inserting immediately after said line the following:

“**HB 1293** - Judiciary”; and

Line 38, by inserting immediately after said line the following:

“**HB 1695** - Transportation Funding and Public Institutions”.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Review of DSS, DMH, & DHSS operations and policies

BUDGET

Tuesday, April 24, 2012, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HB 1712

Review tax credits

ELECTIONS

Tuesday, April 24, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: SCS SB 671, SJR 26, HB 1901, HB 1917, HB 2031

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, April 24, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 626, SS SCS SB 633, SB 668, SB 721, SCS SB 722, HB 2029

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 24, 2012, 8:30 AM House Hearing Room 6.

Public hearing will be held: HB 1980, HB 1925

Executive session will be held: SCS SB 563

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 23, 2012, Upon Evening Adjournment House Hearing Room 1.

Public hearing will be held: SB 620

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd quarter meeting

AMENDED

LOCAL GOVERNMENT

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 692

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, April 24, 2012, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 715

Executive session may be held on any matter referred to the committee.

NO BREAKFAST

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 23, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 2057

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTIETH DAY, MONDAY, APRIL 23, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1540 - Jones (89)
- 4 HB 1455 - Gatschenberger
- 5 HCS HB 1869 - Dugger
- 6 HCS HB 1117 - Brown (50)
- 7 HCS#2 HB 1475 - Cross
- 8 HB 1592 - Jones (89)
- 9 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 10 HCS HB 1865 - Barnes

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- 11 HCS HB 1049 - Allen
- 12 HCS HB 1210 - Gatschenberger
- 13 HCS HB 1280 - Korman
- 14 HCS HB 1758 - Long
- 15 HCS HB 1795 - Ruzicka
- 16 HCS HB 1803 - Korman
- 17 HCS HB 1818 - Schad
- 18 HCS HB 1966 - Burlison
- 19 HCS HB 1137 - Lauer
- 20 HCS HB 1328 - Cox
- 21 HB 1779 - Flanigan
- 22 HCS HB 1794 - Grisamore
- 23 HCS HB 1854 - Grisamore
- 24 HCS HB 1254 - Klippenstein
- 25 HCS HBs 1741 & 1543 - Leara
- 26 HCS HB 1754 - Cox
- 27 HCS HB 1815 - Pollock
- 28 HB 1842 - Lant
- 29 HCS HB 1900 - Redmon
- 30 HCS HB 1922 - Molendorp
- 31 HCS HB 1935 - Franz
- 32 HB 2063 - Denison
- 33 HB 2099 - Elmer
- 34 HCS HB 2100 - Denison

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee
- 5 HCS HB 1890 - Molendorp

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 448
- 2 SCS SB 510
- 3 SS SCS SB 576
- 4 SS SCS SB 677
- 5 SS SCS SB 682
- 6 SB 739
- 7 SCS SB 758

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 6 - Rowland
- 2 HCR 46 - Franklin
- 3 HCR 49 - Fallert
- 4 HCR 18 - Walton Gray
- 5 HCR 43 - Franklin
- 6 HCR 47 - Allen
- 7 HCR 52 - Cookson

SENATE BILLS FOR THIRD READING

- 1 HCS SB 568 - Franz
- 2 SB 564 - Davis
- 3 HCS SCS SB 569 - Dugger
- 4 SB 611 - Stream
- 5 SS SCS SB 719, E.C. - Brown (116)

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTIETH DAY, MONDAY, APRIL 23, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Herb Baker, Canopy Church, Camdenton, MO.

"For I know the plans I have for you," declares the LORD, "plans to prosper you and not to harm you, plans to give you hope and a future. Then you will call on me and come and pray to me, and I will listen to you. You will seek me and find me when you seek me with all your heart." (Jeremiah 29:11-13)

Father God, You Who spoke the worlds into existence and gave life to all of creation – we acknowledge Your presence in this place. We are the finite – You are the infinite. You are the Creator – we are the created. We are Your servants – You are our God. Hear our prayer, oh Lord.

Grant now that we might have wisdom beyond our years and our experience. For the task ahead of us is too awesome to be accomplished in our own wisdom. We need the wisdom that comes from above.

As You promised to the Israelites in Babylonian captivity, through the prophet Jeremiah – we ask that Your plans for us also have hope and a prosperous future. Let us be mindful that they are Your plans and not ours. Let us not to be governed by selfish motives or personal ambition.

We are grateful for the service of these who represent our state in this house. Would You bless them again today and employ them in the work of Your plans on earth.

In Jesus' name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Michelle Pugh.

The Journal of the fifty-ninth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2327 through House Resolution No. 2354

SECOND READING OF SENATE BILLS

SS SCS SB 448, SCS SB 510, SS SCS SB 576, SS SCS SB 677, SS SCS SB 682, SB 739 and SCS SB 758 were read the second time.

Representative Leara assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCS HCR 33, relating to state employee wages, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **HCS HCR 33** was adopted.

On motion of Representative Bernskoetter, **HCS HCR 33** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 001

Kirkton

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Aull	Carter	Funderburk	Hubbard
Hughes	Keeney	May	McManus	Neth
Nolte	Oxford	Pierson	Smith 71	Sommer
Webb	Mr Speaker			

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McDonald
McGeoghegan	McGhee	McNary	Meadows	Molendorp
Montecillo	Nance	Nichols	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 016

Berry	Brattin	Carlson	Kirkton	Lasater
Leach	Marshall	McCann Beatty	McCreery	McNeil
Morgan	Newman	Schieber	Schupp	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Carter	Dieckhaus	Funderburk	Hubbard
Hughes	May	McManus	Nasheed	Neth
Nolte	Oxford	Pierson	Smith 71	Mr Speaker

HOUSE CONCURRENT RESOLUTIONS

HCR 6, relating to fuel costs, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCR 6** was adopted.

HCR 46, relating to Lake of the Ozarks property, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCR 46** was adopted.

HCR 49, relating to mercury emissions, was taken up by Representative Fallert.

On motion of Representative Fallert, **HCR 49** was adopted.

PERFECTION OF HOUSE BILL

HCS HB 1117, relating to the Missouri and Midwest Rail Integration and Improvement Commission, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HCS HB 1117** was adopted.

On motion of Representative Brown (50), **HCS HB 1117** was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HCS HB 1890, relating to health insurance coverage, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 1890** was read the third time and passed by the following vote:

AYES: 113

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Meadows
Molendorp	Nance	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst

Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 040

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Ellington	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Lampe	Marshall
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Day	Funderburk	Hubbard	Hughes
May	Neth	Nolte	Oxford	Mr Speaker

Representative Leara declared the bill passed.

COMMITTEE REPORTS

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1213**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **HB 1846**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 24, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Review of DSS, DMH, & DHSS operations and policies

BUDGET

Tuesday, April 24, 2012, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HB 1712

Review tax credits

CHILDREN AND FAMILIES

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: SS SB 727, SCS SB 711, HB 2042

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HCR 57, HB 2106

ECONOMIC DEVELOPMENT

Tuesday, April 24, 2012, 5:00 PM House Hearing Room 3.

Public hearing will be held: HB 1571, HB 2044, HB 1801, HB 2041

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 24, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: SCS SB 671, SJR 26, HB 1901, HB 1917, HB 2031

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 25, 2012, 9:30 AM House Hearing Room 6.

Executive session will be held: SB 599

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, April 24, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: SCS SB 566

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, April 24, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 626, SS SCS SB 633, SB 668, SB 721, SCS SB 722, HB 2029

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, April 24, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1950, SS SB 749

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 24, 2012, 8:30 AM House Hearing Room 6.

Public hearing will be held: HB 1980, HB 1925

Executive session will be held: SCS SB 563

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd quarter meeting

AMENDED

JUDICIARY

Wednesday, April 25, 2012, 12:00 PM or Upon Morning Recess, whichever is earlier, House Hearing Room 1.

Public hearing will be held: HB 1840, SCS SB 485, SB 628, SCS SB 789, SB 636

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 692

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, April 24, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1991

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 24, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: SB 701, SCR 24, SS SB 665, SB 504, SCS SB 673, SCS SB 714, HB 2084, HB 1889

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Wednesday, April 25, 2012, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, April 24, 2012, 12:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, April 24, 2012, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 715

Executive session may be held on any matter referred to the committee.

NO BREAKFAST

HOUSE CALENDAR

SIXTY-FIRST DAY, TUESDAY, APRIL 24, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1540 - Jones (89)
- 4 HB 1455 - Gatschenberger
- 5 HCS HB 1869 - Dugger
- 6 HCS#2 HB 1475 - Cross
- 7 HB 1592 - Jones (89)
- 8 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 9 HCS HB 1865 - Barnes
- 10 HCS HB 1049 - Allen
- 11 HCS HB 1210 - Gatschenberger
- 12 HCS HB 1280 - Korman
- 13 HCS HB 1758 - Long
- 14 HCS HB 1795 - Ruzicka
- 15 HCS HB 1803 - Korman
- 16 HCS HB 1818 - Schad
- 17 HCS HB 1966 - Burlison
- 18 HCS HB 1137 - Lauer
- 19 HCS HB 1328 - Cox
- 20 HB 1779 - Flanigan
- 21 HCS HB 1794 - Grisamore
- 22 HCS HB 1854 - Grisamore
- 23 HCS HB 1254 - Klippenstein
- 24 HCS HBs 1741 & 1543 - Leara
- 25 HCS HB 1754 - Cox
- 26 HCS HB 1815 - Pollock
- 27 HB 1842 - Lant
- 28 HCS HB 1900 - Redmon
- 29 HCS HB 1922 - Molendorp
- 30 HCS HB 1935 - Franz
- 31 HB 2063 - Denison

- 32 HB 2099 - Elmer
- 33 HCS HB 2100 - Denison
- 34 HCS HB 1709 - Hough
- 35 HCS HB 1710 - Hough

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 18 - Walton Gray
- 2 HCR 43 - Franklin
- 3 HCR 47 - Allen
- 4 HCR 52 - Cookson

SENATE BILLS FOR THIRD READING

- 1 HCS SB 568 - Franz
- 2 SB 564 - Davis
- 3 HCS SCS SB 569 - Dugger
- 4 SB 611 - Stream
- 5 SS SCS SB 719, E.C. - Brown (116)

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1106, as amended - Dugger

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-FIRST DAY, TUESDAY, APRIL 24, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

You are the light of the world. (Matthew 5:14)

Eternal God, Whose truth endures forever, Whose love never fails, and Whose mercy is from everlasting to everlasting, we come to You with minds aglow with Your presence and with hearts aflame with the desire to serve You, our state, and our fellow citizens.

In the quiet of this moment, help us to hear Your still small voice, which alone can change our attitude from fear to faith, from caution to courage and from darkness to light. Together may we abide in the confidence of Your sustaining strength and in the peace of Your supporting presence.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Addie Thessen.

The Journal of the sixtieth day was approved as printed.

Representative Diehl assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS#2 HB 1475, relating to tanning devices, was taken up by Representative Cross.

Representative Bahr offered **House Amendment No. 1**.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen
Brandom

Asbury
Brattin

Bahr
Brown 85

Barnes
Brown 116

Berry
Burlison

1158 *Journal of the House*

Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Funderburk	Haefner	Hughes	Jones 117
Korman	May	Richardson	Scharnhorst	Swinger
Webb	Webber	Zerr	Mr Speaker	

House Amendment No. 1 was withdrawn.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr

Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 013

Ellinger	Funderburk	Hughes	Korman	May
Nolte	Scharnhorst	Swinger	Thomson	Webb
Webber	Zerr	Mr Speaker		

On motion of Representative Cross, **HCS#2 HB 1475** was adopted by the following vote:

AYES: 088

Allen	Anders	Atkins	Aull	Barnes
Brandom	Brown 50	Brown 116	Carter	Cauthorn
Colona	Cookson	Cross	Davis	Diehl
Ellinger	Ellington	Elmer	Fisher	Flanigan
Fraker	Frederick	Gatschenberger	Gosen	Grisamore
Harris	Higdon	Hinson	Hodges	Holsman
Hough	Houghton	Hubbard	Hummel	Jones 63
Jones 117	Kelly 24	Kirkton	Kratky	Lampe
Lant	Lasater	Lauer	Leara	Long
McCaherty	McCann Beatty	McCreery	McDonald	McGhee
McManus	McNeil	Molendorp	Montecillo	Nance
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schatz
Schieffer	Schneider	Schupp	Shively	Shumake

Sifton	Silvey	Smith 71	Still	Stream
Talboy	Torpey	Wallingford	Walton Gray	Weter
White	Wieland	Wright		

NOES: 061

Asbury	Bahr	Bernskoetter	Berry	Black
Brattin	Brown 85	Burlison	Casey	Cierpiot
Conway 14	Conway 27	Cox	Crawford	Curtman
Day	Dieckhaus	Dugger	Entlicher	Fallert
Fitzwater	Franklin	Fuhr	Guernsey	Haefner
Hampton	Hoskins	Hughes	Johnson	Jones 89
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Largent	Leach	Lichtenegger	Loehner
Marshall	McGeoghegan	McNary	Meadows	Nasheed
Neth	Parkinson	Pollock	Redmon	Schad
Scharnhorst	Schieber	Schoeller	Smith 150	Solon
Sommer	Spreng	Swearingen	Taylor	Wells
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 014

Carlson	Denison	Franz	Funderburk	Korman
May	Morgan	Nolte	Swinger	Thomson
Webb	Webber	Zerr	Mr Speaker	

On motion of Representative Cross, **HCS#2 HB 1475** was ordered perfected and printed.

HCS HB 1210, relating to debt offset for unpaid medical bills, was taken up by Representative Gatschenberger.

Representative Gatschenberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1210, Section A, Page 1, Line 2, by inserting the following after all of said line:

"143.782. As used in sections 143.782 to [143.788] **143.790**, unless the context clearly requires otherwise, the following terms shall mean and include:

- (1) "Court", the supreme court, court of appeals, or any circuit court of the state;
- (2) "Debt", any sum due and legally owed to any state agency which has accrued through contract, subrogation, tort, or operation of law regardless of whether there is an outstanding judgment for that sum, court costs as defined in section 488.010, fines and fees owed, or any support obligation which is being enforced by the division of family services on behalf of a person who is receiving support enforcement services pursuant to section 454.425, or any claim for unpaid health care services which is being enforced by the [department of health and senior services] **claim clearinghouse** on behalf of a [hospital or health care] provider **of ambulance services** under section 143.790;
- (3) "Debtor", any individual, sole proprietorship, partnership, corporation or other legal entity owing a debt;
- (4) "Department", the department of revenue of the state of Missouri;
- (5) "Refund", the Missouri income tax refund which the department determines to be due any taxpayer pursuant to the provisions of this chapter. The amount of a refund shall not include any senior citizens property tax credit provided by sections 135.010 to 135.035 unless such refund is being offset for a delinquency or debt relating to individual income tax or a property tax credit; and

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri, including public community college districts and housing authorities as defined in section 99.020."; and

Further amend said bill, Section 143.790, Page 4, Line 84, by deleting the word "**and**" and inserting in lieu thereof the word "**as**"; and

Further amend said bill and section, Page 8, Line 238, by inserting after the word "**assistance**" the word "**fee**"; and

Further amend said section and page, Line 241, by deleting all of said line and inserting in lieu thereof the following:

"collection assistance fee shall have priority over the setoff of the eligible claim. If, in addition to the collection assistance fee, any portion of the eligible claim is setoff under this section, the provider shall be:

(1) Forever barred from resubmitting the remainder of the claim to the claim clearinghouse for setoff by the department under this section; and

(2) Forever barred from taking any other steps to collect the amount of the claim from the patient.

If, after the"; and

Further amend said section and page, Line 248, by deleting "**section.**" and inserting in lieu thereof the following:

"section, provided however, that a provider receiving a partial claim setoff against a lottery prize payout will not be subject to the prohibitions under subdivisions (1) and (2) of subsection 12."; and

Further amend said bill and section, Page 9, Line 257, by inserting the following after all of said line:

"313.321. 1. The money received by the Missouri state lottery commission from the sale of Missouri lottery tickets and from all other sources shall be deposited in the "State Lottery Fund", which is hereby created in the state treasury. At least forty-five percent, in the aggregate, of the money received from the sale of Missouri lottery tickets shall be appropriated to the Missouri state lottery commission and shall be used to fund prizes to lottery players. Amounts in the state lottery fund may be appropriated to the Missouri state lottery commission for administration, advertising, promotion, and retailer compensation. The general assembly shall appropriate remaining moneys not previously allocated from the state lottery fund by transferring such moneys to the general revenue fund. The lottery commission shall make monthly transfers of moneys not previously allocated from the state lottery fund to the general revenue fund as provided by appropriation.

2. The commission may also purchase and hold title to any securities issued by the United States government or its agencies and instrumentalities thereof that mature within the term of the prize for funding multi-year payout prizes.

3. The "Missouri State Lottery Imprest Prize Fund" is hereby created. This fund is to be established by the state treasurer and funded by warrants drawn by the office of administration from the state lottery fund in amounts specified by the commission. The commission may write checks and disburse moneys from this fund for the payment of lottery prizes only and for no other purpose. All expenditures shall be made in accordance with rules and regulations established by the office of administration. Prize payments may also be made from the state lottery fund. Prize payouts made pursuant to this section shall be subject to the provisions of section 143.781; and prize payouts made pursuant to this section shall be subject to set off for delinquent child support payments as assessed by a court of competent jurisdiction or pursuant to section 454.410. Prize payouts made under this section shall be subject to set off for unpaid health care services provided by [hospitals and health care] **ambulance service** providers under the procedure established in section 143.790.

4. Funds of the state lottery commission not currently needed for prize money, administration costs, commissions and promotion costs shall be invested by the state treasurer in interest-bearing investments in accordance with the investment powers of the state treasurer contained in chapter 30. All interest earned by funds in the state lottery fund shall accrue to the credit of that fund.

5. No state or local sales tax shall be imposed upon the sale of lottery tickets or shares of the state lottery or on any prize awarded by the state lottery. No state income tax or local earnings tax shall be imposed upon any lottery game prizes which accumulate to an amount of less than six hundred dollars during a prize winner's tax year. The state

of Missouri shall withhold for state income tax purposes from a lottery game prize or periodic payment of six hundred dollars or more an amount equal to four percent of the prize.

6. The director of revenue is authorized to enter into agreements with the lottery commission, in conjunction with the various state agencies pursuant to sections 143.782 to 143.788, in an effort to satisfy outstanding debts to the state from the lottery winning of any person entitled to receive lottery payments which are subject to federal withholding. The director of revenue is also authorized to enter into agreements with the lottery commission in conjunction with the department of health and senior services pursuant to section 143.790 in an effort to satisfy outstanding debts owed to [hospitals and health care] **ambulance service** providers for unpaid health care services of any person entitled to receive lottery payments which are subject to federal withholding.

7. In addition to the restrictions provided in section 313.260, no person, firm, or corporation whose primary source of income is derived from the sale or rental of sexually oriented publications or sexually oriented materials or property shall be licensed as a lottery game retailer and any lottery game retailer license held by any such person, firm, or corporation shall be revoked.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 1** was adopted.

Representative Wallingford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1210, Page 9, Section 143.790, Line 257, by inserting after all of said section, the following:

“143.1026. 1. This section shall be known and may be cited as "Sahara's Law".

2. For all taxable years beginning on or after January 1, 2012, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the pediatric cancer research trust fund. If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount the individual or corporation wishes to contribute. Such amounts shall be clearly designated for the fund.

3. There is hereby created in the state treasury the "Pediatric Cancer Research Trust Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. All moneys credited to the trust fund shall be considered nonstate funds under section 15, article IV, Constitution of Missouri. The treasurer shall distribute all moneys deposited in the fund at times the treasurer deems appropriate to CureSearch for children's cancer.

4. The director of revenue shall deposit at least monthly all contributions designated by individuals under this section to the state treasurer for deposit to the fund. The director of revenue shall deposit at least monthly all contributions designated by the corporations under this section, less an amount sufficient to cover the costs of collection and handling by the department of revenue, to the state treasury for deposit to the fund. A contribution designated under this section shall only be deposited in the fund after all other claims against the refund from which such contribution is to be made have been satisfied.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 2** was adopted.

HCS HB 1210, as amended, was laid over.

HB 1592, relating to the STAR Bonds Financing Act, was taken up by Representative Jones (89).

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1592, Page 1, Section A, Line 2, by inserting the following after all of said lines:

“67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; [and]
(2) Grant county [sales tax] revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233;

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. [If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue] **In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Solon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 1592, Page 1, Section A, Line 2, by inserting after all of said line the following:

“67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county [of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants], the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or, **if applicable to that county, chapter 141, or**, [by judicial foreclosure proceeding,] at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 2** was adopted.

Representative Schupp offered **House Amendment No. 3**.

Representative Scharnhorst raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Jones (89), **HB 1592, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

Representative Diehl resumed the Chair.

HOUSE RESOLUTION

Representative Flanigan offered House Resolution No. 2509.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2355 through House Resolution No. 2508

HOUSE CONCURRENT RESOLUTIONS

HCR 43, relating to trapshooting, was taken up by Representative Franklin.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Cauthorn	Cierpiot	Conway 14	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Nance	Neth	Nolte	Parkinson	Phillips

Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Burlison	Colona	Cookson	Day
Dieckhaus	Ellington	Funderburk	Grisamore	Hubbard
Kander	Korman	Lampe	Leach	May
McNary	Molendorp	Nasheed	Schatz	Mr Speaker

On motion of Representative Franklin, **HCR 43** was adopted.

HCR 18, relating to “Donate Life Month,” was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCR 18** was adopted.

HCR 47, relating to Missouri military bases, was taken up by Representative Allen.

On motion of Representative Allen, **HCR 47** was adopted.

HCR 52, relating to riverways, was taken up by Representative Cookson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton

Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Taylor	Walton Gray	Webber

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 020

Brattin	Day	Denison	Dieckhaus	Franklin
Funderburk	Haefner	Hubbard	Jones 117	Lampe
May	McNary	Molendorp	Nasheed	Sater
Scharnhorst	Stream	Talboy	Webb	Mr Speaker

On motion of Representative Cookson, **HCR 52** was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 1758, relating to parent-child relationships, was taken up by Representative Long.

Representative Long offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1758, Page 1, Section 452.398, Line 6, by inserting after the phrase “**chapter 211.**” the following:

“**Nothing in this section shall be construed or intended to revive the rights of a natural parent whose rights have previously been terminated under chapter 211.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Richardson offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1758, Page 1, Section 452.398, Line 6, by inserting after the phrase “**chapter 211.**” the following:

“**Nothing in this section shall be construed or intended to revive the rights of a natural parent whose rights have previously been terminated under chapter 211.**”; and

Further amend said bill, Page 2, Section 452.398, Line 40, by deleting all of said line and inserting in lieu thereof the following:

“(1) **Is or was married to the minor child’s natural parent;**”; and

Further amend said bill, Page 3, Section 452.398, Line 68, by inserting immediately after the phrase “**the court**” the following:

“**shall consider the psychological injury to the child resulting from a discontinuation of the relationship between the child and petitioner or intervenor and**”; and

Further amend said section and page, Line 71, by removing all of said line, and renumbering the remaining subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill No. 1758, Page 1, Line 19, by inserting after all of said line the following:

‘Further amend said bill, Page 4, Section 452.398, Line 107, by inserting after the phrase “**section 452.375**” the following:

“, **including an obligation of support pursuant to section 452.340**”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Richardson, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
Marshall	McCaherty	McGhee	McNary	Nance
Nolte	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 018

Conway 14	Crawford	Day	Dieckhaus	Ellington
Fallert	Funderburk	Hubbard	Hughes	Lampe
May	McCreery	Molendorp	Neth	Parkinson
Sater	Scharnhorst	Mr Speaker		

On motion of Representative Long, **HCS HB 1758, as amended**, was adopted.

On motion of Representative Long, **HCS HB 1758, as amended**, was ordered perfected and printed.

HCS HB 1280, relating to a peer review process for design professionals, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1280** was adopted.

On motion of Representative Korman, **HCS HB 1280** was ordered perfected and printed.

THIRD READING OF SENATE BILL

HCS SB 568, relating to motor vehicle operation, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 568, Page 1, Title, Line 3, by deleting the phrase "motor vehicle operation" and inserting in lieu thereof the phrase "transportation"; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line, the following:

"94.700. The following words, as used in sections 94.700 to 94.755, shall have the following meaning unless a different meaning clearly appears from the context:

(1) "City" shall mean any incorporated city, town, or village in the state of Missouri with a population of one hundred or more, but the term "city" does not include any city not within a county or any city of over four hundred thousand inhabitants wholly or partially within a first class county;

(2) "City transit authority" shall mean a commission or board created by city charter provision or by ordinance of a city, and which operates a public mass transportation system;

(3) "City utilities board" shall mean a board or commission created by city charter provision or by ordinance of a city, which controls and operates city-owned utilities including a public mass transportation system;

(4) "Director of revenue" shall mean the director of revenue of the state of Missouri;

(5) "Interstate transportation authority" shall mean any political subdivision created by compact between this state and another state, which is a body corporate and politic and a political subdivision of both contracting states, and which operates a public mass transportation system;

(6) "Interstate transportation district" shall mean that geographical area set forth and defined in the particular compact between this state and another state;

(7) "Person" shall mean an individual, corporation, partnership, or other entity;

(8) "Public mass transportation system" shall mean a transportation system or systems owned and operated by an interstate transportation authority, a municipality, a city transit authority, or a city utilities board, employing motor buses, rails or any other means of conveyance, by whatsoever type or power, operated for public use in the conveyance of persons, mainly providing local transportation service within an interstate transportation district or municipality;

(9) "Transportation purposes" shall mean financial support of a "public mass transportation system"; the construction, reconstruction, repair and maintenance of streets, roads, **sidewalks, trails, community-owned parking lots**, and bridges within a municipality; the construction, reconstruction, repair and maintenance of airports owned and operated by municipalities; the acquisition of lands and rights-of-way for streets, roads, **sidewalks, trails, community-owned parking lots**, bridges, and airports; and planning and feasibility studies for streets, roads, **sidewalks, trails, community-owned parking lots**, bridges, and airports. "Bridges" shall include bridges connecting a municipality with another municipality either within or without the state, with an unincorporated area of the state, or with another state or an unincorporated area thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Franz offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said section and line, the following:

“304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The "commercial zone" of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however[,] :

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city; [further, provided, however,]

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city's limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along state route 210 and northwest from the intersection of state route 210 and state route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county; further provided, however,]. **The commercial zone described in this subdivision shall be extended to also include the stretch of state route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat;**

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of state route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants.

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

[4.] 5. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

[5.] 6. No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nance offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 568, Page 2, Line 5, by inserting after the closing bracket “[].” the following:

“The commercial zone shall continue east along state route 10 from the intersection of state route 10 and state route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Swearingen offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 568, Page 1, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

‘AMEND House Committee Substitute for Senate Bill No. 568, Page 6, Section 304.022, Lines 8-11, by deleting all of said lines from the bill and inserting in lieu thereof the following:

“2. Upon approaching [a] any stationary [emergency] vehicle [displaying lighted red or red and blue lights], the driver of every motor vehicle shall:”; and

Further amend said bill, Page 7, Section 304.022, Line 67, by inserting after all of said section and line, the following:”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Swearingen moved that **House Amendment No. 2 to House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Franz, **House Amendment No. 2, as amended**, was adopted.

Representative Smith (150) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said section and line, the following:

“301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application. When an owner wants to add or delete a name or names on an application for certificate of ownership of a motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete a name or names on an application for certificate of ownership.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: "Annual odometer updates may be available from the department of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

(1) The mileage information included on the face of the immediately prior certificate and the date of purchase or issuance of the immediately prior certificate; or

(2) Any other mileage information provided to the director of revenue, and the date the director obtained or recorded that information.

4. The certificate of ownership issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection. In order to carry out the requirements of this subsection, the director of revenue may contract with a nonprofit scientific or educational institution specializing in the analysis of secure documents to determine the most effective methods of rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate

shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

6. Any applicant for a certificate of ownership requesting the department of revenue to process an application for a certificate of ownership in an expeditious manner requiring special handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to be registered under the provisions of the law unless a certificate of ownership has been applied for as provided in this section.

8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of vehicle identification numbers and a determination of the classification of the vehicle. The owner of a vehicle which requires a vehicle examination certificate shall present the vehicle for examination and obtain a completed vehicle examination certificate prior to submitting an application for a certificate of ownership to the director of revenue. **Notwithstanding any provision of the law to the contrary, an owner presenting a motor vehicle which has been issued a salvage title and which is ten years of age or older to a vehicle examination described in this subsection in order to obtain a certificate of ownership with the designation prior salvage motor vehicle, shall not be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination.** The fee for the vehicle examination application shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the application and shall be deposited in the state treasury to the credit of the state highways and transportation department fund. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to the owner.

10. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri or as required by section 301.020, it shall be accompanied by a current inspection form certified by a duly authorized official inspection station as described in chapter 307. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation. The absence

of any prior designation shall not relieve a transferor of the duty to exercise due diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer of a certificate of ownership without any designation that is subsequently discovered to have or should have had a designation shall be a transfer free and clear of any liabilities of the transferor associated with the missing designation.

13. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the words "Non-USA-Std Motor Vehicle".

14. The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

15. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the current model year, and which has a value of three thousand dollars or less shall be accompanied by:

(1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

(2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles. The department of revenue shall issue the owner a certificate of ownership designated with the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Long offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1 to House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 568, Page 5, Line 26, by inserting after all of said line the following:

*Further amend said bill, Page 5, Section 301.147, Line 29, by inserting after all of said line the following:

“302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and

court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record **if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense**. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) "**CDLIS driver record**", the electronic record of the individual commercial driver's status and history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;

(4) "**CDLIS motor vehicle record (CDLIS MVR)**", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)] (6) "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)] (7) "**Commercial driver's license downgrade**", occurs when:

(a) A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;

(b) A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;

(c) A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(d) The state removes the commercial driver's license privilege from the driver's license;

(8) "Commercial driver's license information system (CDLIS)", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)] (9) "Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)] **(10)** "Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)] **(11)** "Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendere, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)] **(12)** "Director", the director of revenue or his authorized representative;

[(10)] **(13)** "Disqualification", any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver's license;

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state, **Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)] **(14)** "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)] **(15)** "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)] **(17)** "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)] **(18)** "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)] **(19)** "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)] **(21) "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision [(21)] (27) of this subsection;**

[(17)] **(22) "Fatality", the death of a person as a result of a motor vehicle accident;**

[(18)] **(23) "Felony", any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;**

(24) "Foreign", outside the fifty states of the United States and the District of Columbia;

[(19)] **(25) "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;**

[(20)] **(26) "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;**

[(21)] **(27) "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;**

[(22)] **(28) "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;**

[(23)] **(29) "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;**

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)] **(32) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;**

[(25)] **(33) "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;**

[(26)] **(34) "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;**

[(27)] **(35) "Out-of-service order", a declaration by [the Federal Highway Administration, or any] an authorized enforcement officer of a federal, state, [Commonwealth of Puerto Rico,] Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria;**

[(28)] **(36) "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;**

[(29)] **(37) "Secretary", the Secretary of Transportation of the United States;**

[(30)] **(38) "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or revocation of the driver's license or noncommercial motor vehicle driving privilege:**

(a) Excessive speeding, as defined by the Secretary by regulation;

(b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;

(c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;

(d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;

(e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;

[(31)] (39) "State", a state[, territory or possession] of the United States[, the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada];

[(32)] (40) "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

(1) Nonexcepted interstate: Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;

(2) Excepted interstate: Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;

(3) Nonexcepted intrastate: Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) Excepted intrastate: Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change

in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 1 to House Amendment No. 3** was adopted.

Representative Nance offered **House Amendment No. 2 to House Amendment No. 3.**

House Amendment No. 2

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 568, Page 5, Line 26, by deleting all of said line and inserting in lieu there of the following:

“to obtain a vehicle examination certificate issued by the Missouri state highway patrol.

301.193. 1. Any person who purchases or is the owner of real property on which vehicles, as defined in section [301.011] **301.010**, vessels or watercraft, as defined in section 306.010, or outboard motors, as that term is used in section 306.530, have been abandoned, without the consent of said purchaser or owner of the real property, may apply to the department of revenue for a certificate of title. [Any insurer which purchases a vehicle through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make an application to the department of revenue for a salvage certificate of title pursuant to this section.] Prior to making application for a certificate of title on a vehicle under this section, the [insurer or] owner of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9 of section 301.190, and shall have law enforcement perform a check in the national crime information center and any appropriate statewide law enforcement computer to determine if the vehicle has been reported stolen and the name and address of the person to whom the vehicle was last titled and any lienholders of record. The [insurer or] owner or purchaser of the real estate shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle by certified mail that the owner intends to apply for a certificate of title from the director for the abandoned vehicle. The application for title shall be accompanied by:

(1) A statement explaining the circumstances by which the property came into the [insurer,] owner or purchaser's possession; a description of the property including the year, make, model, vehicle identification number and any decal or license plate that may be affixed to the vehicle; the current location of the property; and the retail value of the property;

(2) An inspection report of the property, if it is a vehicle, by a law enforcement agency pursuant to subsection 9 of section 301.190; and

(3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any person holding a valid security interest of record.

2. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the property described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. If the latest owner or lienholder was not notified the director shall inform the [insurer,] owner[,] or purchaser of the real estate of the latest owner and lienholder information so that notice may be given as required by subsection 1 of this section. Any owner or lienholder receiving notification may protest the issuance of title by, within the thirty-day notice period and may file a petition to recover the vehicle, naming the [insurer or] owner of the real estate and serving a copy of the petition on the director of revenue. The director shall not be a party to such petition but shall, upon receipt of the petition, suspend the processing of any further certificate of title until the rights of all parties to the vehicle are determined by the court. Once all requirements are satisfied the director shall issue one of the following:

(1) An original certificate of title if the vehicle examination certificate, as provided in section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

(2) An original certificate of title designated as prior salvage if the vehicle examination certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged condition or rebuilt;

(3) A salvage certificate of title designated with the words "salvage/abandoned property" or junking certificate based on the condition of the property as stated in the inspection report. [An insurer purchasing a vehicle through the claims adjustment process under this section shall only be eligible to obtain a salvage certificate of title or junking certificate.]

3. Any insurer which purchases a vehicle, other than a vehicle described in subsection 1 of this section, through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make application to the department of revenue for a salvage certificate of title or junking certificate. Such application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least two written attempts to obtain the certificate of ownership, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and the fee prescribed in subsection 5 of section 301.190. The insurer shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle that the owner intends to apply for a certificate of title from the director for the vehicle. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the vehicle described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. After thirty days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 2 to House Amendment No. 3** was adopted.

On motion of Representative Smith (150), **House Amendment No. 3, as amended**, was adopted.

Representative Loehner offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said section and line the following:

“304.158. 1. Notice as to the removal of any abandoned property pursuant to section 304.155 or 304.157 shall be made in writing within five working days to the registered owner and any lienholder of the fact of the removal, the grounds for the removal, and the place to which the property has been removed by either:

(1) The public agency authorizing the removal; or

(2) The towing company, where authorization was made by an owner or lessee of real property. If the abandoned property is stored in any storage facility, a copy of the notice shall be given to the operator of the facility. The notice provided for in this section shall include the amount of mileage, if available, shown on the abandoned property at the time of removal.

2. Any owner of any private real property causing the removal of abandoned property from that real property shall state the grounds for the removal of the abandoned property if requested by the registered owner of that abandoned property. Any towing company that lawfully removes abandoned property from private property with the written authorization of the property owner or the property owner's agent who is present at the time of removal shall not be held responsible in any situation relating to the validity of the removal. Any towing company that removes abandoned property at the direction of the landowner shall be responsible for:

(1) Any damage caused by the towing company to the property in the transit and subsequent storage of the property; and

(2) The removal of property other than the property specified by the owner of the private property from which the abandoned property was removed.

3. The owner of abandoned property removed from private property may recover for any damage to the property resulting from any act of any person causing the removal of, or removing, the abandoned property.

4. Any owner of any private property causing the removal of abandoned property parked on that property is liable to the owner of the abandoned property for double the storage or towing charges whenever there has been a failure to comply with the requirements of this section or section 304.157.

5. Any towing company which tows abandoned property for hire shall have the towing company's name, city and state clearly printed in letters at least three inches in height on the sides of the truck, wrecker or other vehicle used in the towing.

6. A towing company may impose a charge of not more than one-half of the regular towing charge for the towing of abandoned property at the request of the owner of private property or that owner's agent pursuant to this section if the owner of the abandoned property or the owner's agent returns to the abandoned property before it is removed from the private property. The regular towing charge may only be imposed after the abandoned property has been removed from the property and is in transit.

7. Persons operating or in charge of any storage facility where the abandoned property is stored pursuant to this section shall accept cash for payment of towing and storage by a registered owner or the owner's agent claiming the abandoned property. In addition, persons operating or in charge of the storage facility shall have sufficient moneys on the premises to accommodate, and make change in, a reasonable monetary transaction.

8. Except for the removal of abandoned property authorized by a law enforcement agency pursuant to section 304.157, a towing company shall not remove or commence the removal of abandoned property from private property without first obtaining written authorization from the property owner. All written authorizations shall be maintained for at least one year by the towing company. General authorization to remove or commence removal of abandoned property at the towing company's discretion shall not be delegated to a towing company or its affiliates except in the case of abandoned property unlawfully parked within fifteen feet of a fire hydrant or in a fire lane designated by a fire department or the state fire marshal.

9. Any towing company, or any affiliate of a towing company, which removes, or commences removal of, abandoned property from private property without first obtaining written authorization from the property owner or lessee, or an employee or agent thereof, who is present at the time of removal or commencement of the removal, except as permitted in subsection 8 of this section, is liable to the owner of the property for four times the amount of the towing and storage charges, in addition to any applicable criminal penalty, for a violation of this section.

10. Any county, city, town or village may enact ordinances or orders which are consistent with sections 304.155 to 304.158 and which may specify maximum reasonable towing, storage and other charges which can be imposed by towing and storage companies operating within the governmental entity's jurisdiction.

11. **For any vehicle towed at the request of law enforcement officials under section 304.157, any title loan company holding a title loan on such vehicle shall be notified of the location of the vehicle within forty-eight hours and be required to either pay the towing and storage charges for such vehicle or provide to the towing company a title release for the vehicle. If no action is taken by the title loan company within ten days of receiving notification by the towing company that the vehicle has been towed pursuant to law enforcement request, the title loan company shall be responsible for all towing costs and additional storage charges.**

12. Any person who knowingly violates any provision of sections 304.155 to 304.158 shall be guilty of a class A misdemeanor. Any violation of the provisions of this section shall constitute a violation of the provisions of section 407.020. In any proceeding brought by the attorney general for a violation of the provisions of this section, the court may, in addition to imposing the penalties provided for in this section order the revocation or suspension of the registration or license of the towing company.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wells offered **House Amendment No. 1 to House Amendment No. 4.**

House Amendment No. 1 to House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 568, Page 3, Line 10, by inserting after all of said line the following:

‘Further amend said bill, Page 7, Section 304.022, Line 67, by inserting after all of said line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise		Maximum load in pounds			
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			

More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will

endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in [subsection 9] **subsections 9 and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway [65] **63**, [and] on U.S. Highway 65 from the Iowa state line to U.S. Highway 36, **and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36.**

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Loehner, **House Amendment No. 4, as amended**, was adopted.

Representative Elmer offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 568, Page 5, Section 301.147, Line 29, by inserting after all of said section and line the following:

“301.4038. Any person who has received a Navy Cross awarded under Section 6242 of Title 20 of the United States Code may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Navy Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as

determined by the advisory committee established in section 301.129, with the words "NAVY CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Navy Cross. There shall be an additional fee charged for each set of Navy Cross license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock offered **House Amendment No. 1 to House Amendment No. 5.**

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 568, Page 1, Line 22, by deleting all of said line and inserting in lieu thereof the following:

“year licensed in the event of the death of the qualified person.

301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an

application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Elmer, **House Amendment No. 5, as amended**, was adopted.

Representative Brown (116) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said line the following:

“306.532. Effective [January 1, 2011] **August 28, 2012**, the certificate of title for a new outboard motor shall designate the year [the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year] the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW" **and the "Year Manufactured" shall reflect such date as purchased from manufacturer by dealer. Any new outboard motor purchased by a dealer from the manufacturer on or after July first of any year shall be labeled with the "Year Manufactured" of the immediately following calendar year unless the manufacturer indicates a specific model or program year.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (116), **House Amendment No. 6** was adopted.

Representative Brown (116) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said line the following:

“306.127. 1. Beginning January 1, 2005, every person born after January 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the lakes of this state shall possess, on the vessel, a boating safety identification card issued by the Missouri state water patrol or its agent which shows that he or she has:

(1) Successfully completed a boating safety course approved by the National Association of State Boating Law Administrators and certified by the Missouri state water patrol. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The Missouri state water patrol may appoint agents to administer a boater education course or course equivalency examination and issue boater identification cards under guidelines established by the water patrol. The Missouri state water patrol shall maintain a list of approved courses; or

(2) Successfully passed an equivalency examination prepared by the Missouri state water patrol and administered by the Missouri state water patrol or its agent. The equivalency examination shall have a degree of difficulty equal to, or greater than, that of the examinations given at the conclusion of an approved boating safety course; or

(3) A valid master's, mate's, or operator's license issued by the United States Coast Guard.

2. The Missouri state water patrol or its agent shall issue a permanent boating safety identification card to each person who complies with the requirements of this section which is valid for life unless invalidated pursuant to law.

3. The Missouri state water patrol may charge a fee for such card or any replacement card that does not substantially exceed the costs of administering this section. The Missouri state water patrol or its designated agent shall collect such fees. These funds shall be forwarded to general revenue.

4. The provisions of this section shall not apply to any person who:

(1) Is licensed by the United States Coast Guard to serve as master of a vessel;

(2) Operates a vessel only on a private lake or pond that is not classified as waters of the state;

(3) Until January 1, 2006, is a nonresident who is visiting the state for sixty days or less;

(4) Is participating in an event or regatta approved by the water patrol;

(5) Is a nonresident who has proof of a valid boating certificate or license issued by another state if the boating course is approved by the National Association of State Boating Law Administrators (NASBLA);

(6) Is exempted by rule of the water patrol;

(7) Is currently serving in any branch of the United States armed forces, reserves, or Missouri national guard, or any spouse of a person currently in such service; or

(8) Has previously successfully completed a boating safety education course approved by the National Association of State Boating Law Administrators (NASBLA).

5. The Missouri state water patrol shall inform other states of the requirements of this section.

6. No individual shall be detained or stopped strictly for the purpose of checking whether the individual possesses a boating safety identification card or a temporary boater education permit.

7. [Beginning January 1, 2006, any nonresident born after January 1, 1984, desiring to operate a rental vessel on the lakes of this state, may obtain a temporary boater education permit by completing and passing a written examination developed by the Missouri state water patrol, provided the person meets the minimum age requirements for operating a vessel in this state. The Missouri state water patrol is authorized to promulgate rules for developing the examination and any requirements necessary for issuance of the temporary boater education permit. The temporary boater education permit shall expire when the nonresident obtains a permanent identification card pursuant to subsection 2 of this section or thirty days after issuance, whichever occurs first. The Missouri state water patrol may charge a fee not to exceed ten dollars for such temporary permit. Upon successful completion of an examination and prior to renting a vessel, the business entity responsible for giving the examination shall collect such fee and forward all collected fees to the Missouri state water patrol on a monthly basis for deposit in the state general revenue fund. Such business entity shall incur no additional liability in accepting the responsibility for administering the examination. This subsection shall terminate on December 31, 2010.] **Any person or company that rents or sells vessels may issue a temporary boating safety identification card to a nonresident of the state to operate a rented vessel or a vessel being considered for sale, for a period of up to seven days, provided that the individual meets the minimum age requirements for operating a vessel in this state. In order to qualify for the temporary boating safety identification card, the applicant shall provide a valid driver's license establishing that the applicant is a nonresident and shall sign an affidavit that he or she has reviewed the Missouri State Highway Patrol Handbook of Missouri Boating Laws and Responsibilities. Any nonresident holding a valid temporary boating safety identification card shall be deemed in compliance with the requirements of this section. The Missouri state highway patrol shall charge a fee of nine dollars for such temporary boating safety identification card. Nonresidents shall not be eligible for more than one temporary boating safety identification card. No person or company may issue a temporary boating safety identification card to a nonresident under the provisions of this subsection unless such person or company is capable of submitting the applicant's temporary boating safety identification card information and payment in an electronic format as prescribed by the Missouri state highway patrol. The business entity issuing a temporary boating safety identification card to a nonresident under the provisions of this subsection shall transmit the applicant's temporary boating safety identification card information electronically to the Missouri state highway patrol, in a manner and format prescribed by the superintendent, using an electronic online registration process developed and provided by the Missouri state highway patrol. The electronic online process developed and provided by the Missouri state highway patrol shall allow the applicant to pay the temporary boating safety identification card fee by credit card or debit card. Notwithstanding any provision in section 306.185 to the contrary, all fees collected under the authority of this subsection shall be deposited in the water patrol division**

fund. The Missouri state highway patrol shall promulgate rules for developing the temporary boating safety identification card and any requirements necessary to the issuance, processing, and payment of the temporary boating safety identification card. The Missouri state highway patrol shall, by rule, develop a boating safety checklist for each applicant seeking a temporary boating safety identification card. The provisions of this subsection shall expire on December 31, 2022.

Section B. Because of the need to ensure that out-of-state residents are knowledgeable in the safe operation of vessels, the repeal and reenactment of section 306.127 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 306.127 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (116), **House Amendment No. 7** was adopted.

Representative Burlison moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hummel
Kander	Kelly 24	Kirkton	Kratky	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

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ABSENT WITH LEAVE: 026

Bernskoetter	Casey	Cauthorn	Day	Denison
Dieckhaus	Funderburk	Gatschenberger	Haefner	Holsman
Hubbard	Hughes	Jones 63	Jones 89	Jones 117
Lampe	Marshall	May	Molendorp	Nasheed
Sater	Scharnhorst	Swearingen	Talboy	Zerr
Mr Speaker				

On motion of Representative Franz, **HCS SB 568, as amended**, was adopted.

On motion of Representative Franz, **HCS SB 568, as amended**, was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	Meadows	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 018

Ellington	Fuhr	Kirkton	Marshall	McCann Beatty
McNeil	Morgan	Newman	Oxford	Pace
Pierson	Schieber	Schupp	Smith 71	Spreng
Taylor	Walton Gray	Webb		

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 015

Bernskoetter	Cauthorn	Day	Denison	Dieckhaus
Funderburk	Hubbard	Hughes	Jones 63	Jones 89
May	Molendorp	Sater	Scharnhorst	Mr Speaker

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 120

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGeoghegan
McManus	McNary	Meadows	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 024

Anders	Berry	Carlson	Ellington	Fuhr
Kirkton	Lasater	Marshall	McCann Beatty	McCreery
McNeil	Morgan	Newman	Oxford	Pace
Pierson	Schieber	Schupp	Smith 71	Spreng
Still	Taylor	Walton Gray	Webb	

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 018

Cauthorn	Day	Denison	Dieckhaus	Elmer
Funderburk	Hubbard	Hughes	Jones 63	Jones 89
May	McGhee	Molendorp	Richardson	Sater
Scharnhorst	Wyatt	Mr Speaker		

PERFECTION OF HOUSE BILLS

HCS HBs 1741 & 1543, relating to public employee retirement benefits, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HBs 1741 & 1543** was adopted.

On motion of Representative Leara, **HCS HBs 1741 & 1543** was ordered perfected and printed.

HCS HB 1137, relating to adoption records, was taken up by Representative Lauer.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1137, Page 1, Title, Line 3, by deleting the word "records"; and

Further amend said bill, Page 2, Section 193.132, Line 47, by inserting after all of said section and line the following:

"211.444. 1. The juvenile court may, upon petition of the juvenile officer or a child-placing agency licensed under sections 210.481 to 210.536 in conjunction with a placement with such agency under subsection 6 of section 453.010, **the children's division**, or the court before which a petition for adoption has been filed pursuant to the provisions of chapter 453, terminate the rights of a parent **or approve the consent to adoption or waiver of consent to adoption by a parent, as defined in section 211.442, or of a named father** to a child, **including a child who is a ward of the court**, if the court finds that such termination **or consent to adoption or waiver of consent to adoption** is in the best interests of the child and the parent, **as defined in section 211.442**, has consented in writing to the termination of his or her parental rights **or consented or waived consent to the adoption**.

2. The written consent required by subsection 1 of this section may be executed before or after the institution of the proceedings and shall be acknowledged before a notary public. In lieu of such acknowledgment, the signature of the person giving the written consent shall be witnessed by at least two adult persons who are present at the execution whose signatures and addresses shall be plainly written thereon and who determine and certify that the consent is knowingly and freely given. The two adult witnesses shall not be the prospective parents. The notary public or witnesses shall verify the identity of the party signing the consent.

3. The written consent required by subsection 1 of this section shall be valid and effective only after the child is at least forty-eight hours old and if it complies with the other requirements of section 453.030.

453.065. As used in sections 453.065 to 453.074, the following words and terms shall have the meanings indicated:

(1) "Child", a person within the state who is under the age of eighteen or in the custody of the division of family services who is in need of medical, dental, educational, mental or other related health services and treatment, as defined in this section, or who belongs to a racial or ethnic minority, who is five years of age or older, or who is a member of a sibling group, and for whom an adoptive home is not readily available. If the physical, dental or mental condition of the child requires care after the age of eighteen, payment can be continued with the approval of the division of family services of the department of social services and subject to annual review;

(2) "Diminishing allotment", a monthly payment which periodically diminishes over a period of not longer than four years at which time it ceases;

(3) "Long term subsidy", a continuous monthly payment toward the child's care for a period of more than four years;

(4) "**Post adoption contract agreement**", a written agreement approved by the court under subsection 4 of section 453.080;

(5) "Special services", an allotment to a child who is in need of medical, dental, educational, mental health or other related health services and treatment, including treatment for physical handicap, intellectual impairment, developmental disability, mental or emotional disturbance, social maladjustment;

[(5)] (6) "Time limited subsidy", a monthly allotment which is continued for a limited time after legal adoption, not exceeding four years. This compensation is to aid the family in integrating the care of the new child in their home."; and

Further amend said bill, Section 453.080, Page 3, Lines 33-38, by removing all of said lines and inserting in lieu thereof the following:

"4. Before the completion of an adoption, the exchange of information among the parties shall be at the discretion of the parties. **Prospective adoptive parents and parents of a prospective adoptee may enter into a written post adoption contract agreement to allow contact after the adoption between the parents, siblings, or other relatives of the adoptee and the adoptee and the adoptive parents.** Upon completion of an adoption, further contact among the parties shall be at the discretion of the adoptive parents, **and such adoptive parents may exercise their discretion to enter into a written post adoption contract agreement with the former parents of an adoptee to allow contact between a former parent, sibling, or other relative of the adoptee and the adoptee or adoptive parents. The agreement shall be in writing, signed by the parties thereto, and be made a part of the court record. The agreement shall include:**

(1) **An acknowledgment by the former parents that the adoption is irrevocable, even if the adoptive parents do not abide by the post adoption contract agreement;**

(2) **An acknowledgment by the adoptive parents that the agreement grants the former parents the right to seek to enforce the post adoption privileges set forth in the agreement.**

The court shall enforce a written post adoption contract agreement made in accordance with this subsection unless enforcement is not in the best interest of the adoptee. The court shall not have jurisdiction to deny continuing contact between the adopted person and the birth parent, or an adoptive parent and a birth parent. Additionally, the court shall not have jurisdiction to deny an exchange of identifying information between an adoptive parent and a birth parent."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fuhr raised a point of order that **House Amendment No. 1** was not timely distributed.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117

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Keeney	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Nance	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Schatz
Schieber	Schoeller	Shumake	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Zerr

NOES: 049

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 024

Anders	Brown 116	Cauthorn	Day	Dieckhaus
Funderburk	Hubbard	Hughes	Jones 63	Kelley 126
May	McNary	Meadows	Molendorp	Neth
Sater	Scharnhorst	Schneider	Silvey	Taylor
Webb	White	Wyatt	Mr Speaker	

On motion of Representative Barnes, **House Amendment No. 1** was adopted by the following vote:

AYES: 104

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Carlson	Carter	Casey
Colona	Conway 14	Conway 27	Cox	Crawford
Davis	Denison	Diehl	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Hodges
Holsman	Hough	Hummel	Johnson	Jones 89
Jones 117	Kander	Kelly 24	Koenig	Kratky
Lair	Lampe	Lant	Largent	Leara
Loehner	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schad	Scharnhorst	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton

Silvey	Smith 71	Smith 150	Still	Stream
Swearingen	Swinger	Talboy	Wallingford	Walton Gray
Webber	Wells	White	Wright	

NOES: 041

Allen	Asbury	Brown 116	Burlison	Cierpiot
Cookson	Cross	Curtman	Dugger	Ellinger
Ellington	Fisher	Flanigan	Franz	Hampton
Hoskins	Houghton	Keeney	Kirkton	Klippenstein
Korman	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	McCaherty	McCreery	McGhee
Phillips	Redmon	Ruzicka	Schatz	Solon
Sommer	Thomson	Torpey	Weter	Wieland
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 018

Cauthorn	Day	Dieckhaus	Funderburk	Hubbard
Hughes	Jones 63	Kelley 126	May	McNary
Molendorp	Sater	Schneider	Spreng	Taylor
Webb	Wyatt	Mr Speaker		

On motion of Representative Lauer, **HCS HB 1137, as amended**, was adopted.

On motion of Representative Lauer, **HCS HB 1137, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 563**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 620**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 25, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Review of DSS, DMH, & DHSS operations and policies

CHILDREN AND FAMILIES

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: SS SB 727, SCS SB 711, HB 2042

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 25, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: SB 690, HB 1142, HB 2081

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 26, 2012, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HCR 57, HB 2106

Executive session may be held on any matter referred to the committee.

AMENDED

ELECTIONS

Wednesday, April 25, 2012, 5:30 PM House Hearing Room 1.

Public hearing will be held: HB 2109

Executive session will be held: SCS SB 671

Executive session may be held on any matter referred to the committee.

Public comment will be held on the House Committee Substitute (.09C) for House Bill 2109.

Copies available upon request

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 25, 2012, 9:30 AM House Hearing Room 6.

Executive session will be held: SB 599

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, April 25, 2012, 5:00 PM or Immediately Upon Adjournment, whichever is earlier, House Hearing Room 6.

Public hearing will be held: SCS SB 683, SB 813

Executive session will be held: SB 813

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 26, 2012, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 25, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1554

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd quarter meeting

AMENDED

JUDICIARY

Wednesday, April 25, 2012, 12:00 PM or Upon Morning Recess, whichever is earlier, House Hearing Room 1.

Public hearing will be held: HB 1840, SCS SB 485, SB 628, SCS SB 789, SB 636

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 692

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 25, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1849

Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, April 25, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: SCS SB 837, HB 2103, HB 1412

Executive session will be held: HB 1824, HB 1412

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 26, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCR 25, SS SCR 16, SCS SCR 17, HR 1880

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Wednesday, April 25, 2012, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 26, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1673, HB 1478, HB 1976

HOUSE CALENDAR

SIXTY-SECOND DAY, WEDNESDAY, APRIL 25, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1540 - Jones (89)
- 4 HB 1455 - Gatschenberger
- 5 HCS HB 1869 - Dugger
- 6 HB 1718, (2 hours debate on Perfection) - Scharnhorst
- 7 HCS HB 1865 - Barnes
- 8 HCS HB 1049 - Allen
- 9 HCS HB 1210, as amended - Gatschenberger
- 10 HCS HB 1795 - Ruzicka
- 11 HCS HB 1803 - Korman
- 12 HCS HB 1818 - Schad
- 13 HCS HB 1966 - Burlison
- 14 HCS HB 1328 - Cox
- 15 HB 1779 - Flanigan
- 16 HCS HB 1794 - Grisamore
- 17 HCS HB 1854 - Grisamore
- 18 HCS HB 1254 - Klippenstein
- 19 HCS HB 1754 - Cox
- 20 HCS HB 1815 - Pollock
- 21 HB 1842 - Lant
- 22 HCS HB 1900 - Redmon
- 23 HCS HB 1922 - Molendorp
- 24 HCS HB 1935 - Franz
- 25 HB 2063 - Denison
- 26 HB 2099 - Elmer
- 27 HCS HB 2100 - Denison
- 28 HCS HB 1709 - Hough
- 29 HCS HB 1710 - Hough

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee
- 5 HCS HB 1117 - Brown (50)

SENATE BILLS FOR THIRD READING

- 1 SB 564 - Davis
- 2 HCS SCS SB 569 - Dugger
- 3 SB 611 - Stream
- 4 SS SCS SB 719, E.C. - Brown (116)
- 5 HCS SCS SB 562, E.C. - Thomson

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1106, as amended - Dugger

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-SECOND DAY, WEDNESDAY, APRIL 25, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Blessed are those who are persecuted for righteousness sake: for theirs is the kingdom of heaven.
(Matthew 5:10)*

O God of us all, Who is in heaven and in earth, we acknowledge our dependence upon You and offer to You the devotion of our hearts. We come because we need You, every hour we need You. Temptations lose their power when You are near, bitterness fades away in Your presence, resentments lose their weight, and we are given courage to stand for what we believe to be right.

Grant us Your spirit as we in quietness lift our hearts in prayer to You. If we are criticized because of the stand we take, if we are misunderstood in our decisions, may we not let the disagreements of others make us disagreeable, nor may we allow a difference of opinion to make a difference in relationships, but through it all help us to keep our faith in You and in righteousness, justice, and good will. May Your kingdom come in us and through us begin to come in all.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emma Deien, Sophie Smith, Alissa Smith, Dominic House, Kyra Ddungu, Anna Kunz and S'Mya Matthews, Paige Parker, Leo Parker, Sophie Parker, Nico King, Luca King, and Mikayla Crile.

The Journal of the sixty-first day was approved as printed.

PERFECTION OF HOUSE BILLS

HCS HB 1818, relating to property tax on time-share units, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 1818** was adopted.

On motion of Representative Schad, **HCS HB 1818** was ordered perfected and printed.

HB 1455, relating to the Manufacturing Jobs Act, was taken up by Representative Gatschenberger.

Representative Torpey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1455, Page 8, Section 620.1910, Line 228, by inserting after all of said line the following:

“Section 1. Notwithstanding any law to the contrary, any company that qualified for a loan, loan guarantee, or grant under section 620.495 but no longer qualifies may apply for a loan under the provisions of sections 30.750 through 30.765 if the company can demonstrate economic growth, which may include but not be limited to new jobs, increased revenues, or the acquisition of land and existing buildings, the rehabilitation of buildings or other facilities, or construction of new facilities for such company. Any company accepted for a linked deposit loan package under the provisions of this section shall be eligible for a one half point discount of the interest rate charged as provided in section 30.758. The state treasurer shall establish rules and regulations for administering the program and for determining eligibility for participation”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 1** was adopted.

Representative Korman offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 1455, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel[, or hydrogen and for which a valid alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: [seventy-five] one hundred forty dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred eighty-five dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; [one] two hundred [fifty] eighty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; [two] four hundred [fifty] seventy dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand eight hundred eighty dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of [eight] twelve dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such temporary decal and fee shall not be transferable. [All proceeds from such decal fees shall be deposited as specified in section 142.345.] Alternative fuel dealers selling such decals in

accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be **created and** supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

4. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

5. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

6. It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal.

7. No person shall cause to be put, or put, LP gas or natural gas into the fuel supply receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal attached to it. Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.

8. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.

10. For all new alternative fuel or hydrogen-powered vehicles assembled in Missouri, the first year's decal fee shall be one-half of the fees as proposed in this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 2** was adopted.

Representative Solon offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 1455, Page 2, Section 620.478, Line 24, by inserting after all of said line the following:

“620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed

and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (19) of section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this [subdivision] **subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision (33) of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall

be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation **or quality job loss** from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development;

(d) The qualified company in the project facility will cause to be invested a minimum of [seventy] **fifty** million dollars in new investment prior to the end of [two] **five** years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, [2013] **2018**;

(5) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 3** was adopted.

Representative Barnes offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Bill No. 1455, Page 1, Section A, Line 2, by inserting after all of said line the following:

"620.007. The department of economic development shall require start-up companies that apply for economic development incentives, where the incentive is provided up-front, to provide verification of financial information when an application for such incentives is submitted to the department. In complying with this section, the department shall define "start-up company".

620.009. 1. The department of economic development shall share either by electronic copy of the original source or as close as a reproduction as possible all adverse information it has about a company seeking state and local economic development incentives with all local governments, local not-for-profit economic development organizations, and economic development officials competing for the company's business.

2. Local governments, local not-for-profit economic development organizations, and economic development officials working with a company seeking state or local economic development incentives shall also share with the department of economic development all adverse information received about a company.

3. In complying with the provisions of this section, all adverse information received about a company seeking state or local economic development incentives shall be subject to the provisions of section 620.014.

4. In working with local governments, local not-for-profit economic development organizations, and economic development officials on projects, the department of economic development shall designate one or more persons as the local contact for each project. The designated contacts shall be the persons through whom all information required in this section shall be provided. Such persons shall be required to sign a nondisclosure

agreement agreeing not to divulge information, including company name, acquired about an applicant for economic development incentives to the general public.

5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse information under this section.

620.019. The department of economic development shall develop a rating system to apprise local governments of the department's opinion on proposals for discretionary economic development incentives that combine local and state resources.

Section 1. The department of economic development shall include a conflict of interest policy in all new consulting contracts for trade offices located in foreign countries."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 4** was adopted.

Representative Torpey offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Bill No. 1455, Page 2, Section 620.478, Line 24, by inserting immediately after said line the following:

"620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

(1) "Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;

(2) "Average wage", the new payroll divided by the number of new jobs;

(3) "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the approval;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) "Department", the Missouri department of economic development;

(6) "Director", the director of the department of economic development;

(7) "Employee", a person employed by a qualified company;

(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) "High-impact project", a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

(11) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(12) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department,

excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(13) **"New capital investment", shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or approval of the notice of intent;**

(14) **"New investment", the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;**

[(14)] (15) **"New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;**

[(15)] (16) **"New payroll", the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;**

[(16)] (17) **"Notice of intent", a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company's intent to hire new jobs and request benefits under this program;**

[(17)] (18) **"Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;**

[(18)] (19) **"Program", the Missouri quality jobs program provided in sections 620.1875 to 620.1890;**

[(19)] (20) **"Project facility", the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within fifteen miles of each other or within the same county such that their purpose and operations are interrelated;**

[(20)] (21) **"Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;**

[(21)] (22) **"Project facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;**

[(22)] (23) **"Project period", the time period that the benefits are provided to a qualified company;**

(24) **"Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits offered to the qualified company;**

[(23)] (25) **"Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.1875 to 620.1890, the term "qualified company" shall not include:**

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Retail trade establishments (NAICS sectors 44 and 45);
- (c) Food and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy between January 1, 2009, and December 31, 2009, may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and
 b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production; or

(k) Biodiesel production. Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

[(24)] (26) "Qualified renewable energy sources" shall not be construed to include ethanol distillation or production or biodiesel production; however, it shall include:

(a) Open-looped biomass;

(b) Close-looped biomass;

(c) Solar;

(d) Wind;

(e) Geothermal; and

(f) Hydropower;

[(25)] (27) "Related company" means:

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

[(26)] (28) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;

[(27)] (29) "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

[(28)] (30) "Related facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(29)] (31) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

[(30)] (32) "Small and expanding business project", a qualified company that within two years of the date of the approval creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty

new jobs if the project facility is not located in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(31)] (33) "Tax credits", tax credits issued by the department to offset the state income taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

[(32)] (34) "Technology business project", a qualified company that within two years of the date of the approval creates a minimum of ten new jobs involved in the operations of a company:

(a) Which is a technology company, as determined by a regulation promulgated by the department under the provisions of section 620.1884 or classified by NAICS codes;

(b) Which owns or leases a facility which produces electricity derived from qualified renewable energy sources, or produces fuel for the generation of electricity from qualified renewable energy sources, but does not include any company that has received the alcohol mixture credit, alcohol credit, or small ethanol producer credit pursuant to 26 U.S.C. Section 40 of the tax code in the previous tax year;

(c) Which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices; or

(d) Which is a clinical molecular diagnostic laboratory focused on detecting and monitoring infections in immunocompromised patient populations;

[(33)] (35) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision [(19)] (20) of section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this [subdivision] **subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be

limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision [(33)] (35) of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development;

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, 2013;

(5) Job retention projects: In lieu of the benefits provided under subdivision (4) of this subsection and in exchange for the consideration provided by the tax revenues and other economic stimuli that will be generated by the retention of jobs and new capital investment in this state, a qualified company may be eligible to receive the benefits described in this subdivision if the department determines that there is a significant probability that the qualified company would relocate to another state in the absence of the benefits authorized under this subdivision;

(a) A qualified company meeting the requirements of this subdivision may be authorized to retain an amount not to exceed one hundred percent of the withholding tax from full-time jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, for a period of ten years if the average wage of the retained jobs equals or exceeds ninety percent of the county average wage. In order to receive benefits under this subdivision, a qualified company shall enter into a written agreement, with the department, containing detailed performance requirements and repayment penalties in the event of nonperformance. The amount of benefits awarded to a qualified company under this subdivision shall not exceed the projected net fiscal benefit and shall not exceed the least amount necessary to obtain the qualified company's commitment to retain the necessary number of jobs and make the required new capital investment;

(b) In order to be eligible to receive benefits under this subdivision, the qualified company shall meet each of the following conditions:

a. The qualified company shall agree to retain, for a period of ten years from the date of approval of the notice of intent, at least one hundred and twenty-five full-time employees; and

b. The qualified company shall agree to make a new capital investment at the project facility within three years from the approval of the notice of intent in an amount equal to one half the total benefits provided under this subdivision, which are offered to the qualified company by the department;

(c) In awarding benefits under this subdivision, the department shall consider the following factors:

a. The significance of the qualified company's need for program benefits;

b. The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

c. The overall size and quality of the proposed project, including the number of new jobs, new capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

d. The financial stability and creditworthiness of the qualified company;

e. The level of economic distress in the area;

f. An evaluation of the competitiveness of alternative locations for the project facility, as applicable;

(d) Upon approval of a notice of intent to request benefits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of full-time employees, payroll, and new capital investment for each year during the project period;

b. Clawback provisions, as may be required by the department; and

c. Any other provisions the department may require;

(6) In no event shall the total amount of all benefits provided in subdivisions (5) and (7) of this subsection for all qualified companies under this subdivision exceed six million dollars for any fiscal year beginning on or after July 1, 2012;

(7) A qualified company meeting the requirements of subdivision (5) of this subsection may elect a one-time issuance of tax credits in an amount not to exceed eighty percent of the amount the qualified company may otherwise be eligible to retain for a period of ten years under subdivision (5) of this subsection;

(a) In addition to satisfying each of the requirements of subdivision (5) of this subsection, a qualified company requesting tax credits under this subdivision shall provide to the department, prior to approval, evidence of commitments for the financing of any applicable new capital investment. The new capital investment shall be made at the project facility within three years of the date of approval;

(b) Upon approval of a notice of intent to request tax credits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of jobs, payroll, and new capital investment for each year during the project period;

b. The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed three years from the date of approval;

c. Penalties, including the recapture of tax credits awarded under this subdivision, for failure to satisfy the requirements provided under this subdivision and subdivision (5) of this subsection; and

d. Any other provisions the department may require;

(8) Prior to the award of benefits under subdivision (5) or (7) of this subsection, the director of the department shall notify the president pro tem of the senate and the speaker of the house of representatives of the amount of the proposed award, including the county and city in which the project facility is located, the number of retained jobs and the average wages for such retained jobs, the estimated amount of new capital investment, and the amount of the projected net fiscal benefit to the state from the project; provided that, nothing herein shall require the disclosure of information otherwise protected from disclosure by law;

[(5)] (9) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the

department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars, **with ten million dollars reserved to be awarded under subsection 14 of this section.** Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify

the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.

14. For each calendar year beginning on or after January 1, 2013, but ending on or before December 31, 2014, in lieu of all other benefits available under this program, the department may authorize a qualified company meeting the requirements of this subsection and subsection 3 of this section to be issued tax credits in an amount not to exceed seven percent of new payroll from the new jobs created projected over a period of five years from the date the required number of new jobs are to be created, or, if the qualified company is in a targeted industry identified by the department by rule following a strategic planning process as being critical to the state's economic security and growth, the department may authorize tax credits in an amount not to exceed nine percent of new payroll from the new jobs created, projected over a period of five years. The amount of benefits awarded to a qualified company under this section shall not exceed the projected net fiscal benefit to the state over a ten year period, as determined by the department, and may not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In no event shall the tax credits authorized under this subsection exceed ten million dollars annually.

(1) Prior to approval, a qualified company requesting benefits under this subsection shall provide evidence of commitments for the financing of any applicable new capital investment. The new capital investment shall be made at the project facility within two years of the date of approval of the notice of intent.

(2) In awarding tax credits under this subsection, the department shall consider factors set forth in subsection 2 of this section.

(3) Upon approval of a notice of intent to receive tax credits under this subsection, the department and the qualified company shall enter into a written agreement covering the applicable project period containing detailed performance requirements and repayment penalties in event of nonperformance. The agreement shall specify, at a minimum:

(a) The committed number of new jobs, payroll, and new capital investment for each year during the project period;

(b) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(c) Clawback provisions provided under subdivision (4) of this subsection; and

(d) Any other provisions necessary to effectuate the intent of this subsection.

(4) The following clawback provisions shall apply to any benefits awarded under this subsection:

(a) If a qualified company fails to meet any requirements of this section, including the applicable number of new jobs created or new capital investment within two years from the date of approval of its notice of intent, the qualified company shall repay the face amount of all tax credits received from the department, plus interest of nine percent per annum from the date the tax credits were issued. However, the director may, in his or her discretion, provide an extension up to two additional years or reduce such payment, if such failure is caused by documented unforeseen events that negatively affected the operations at the project facility that were not under the control of the qualified company;

(b) If, during any year of the project period, the average wage of the new payroll paid by the qualified company fails to equal or exceed the applicable percentage of the county average wage, or the qualified company fails to offer and pay fifty percent of the premium for health insurance to all of its full-time employees located in this state, the company shall refund to the state an amount equal to the face amount of all tax credits received from the department under this program, divided by the number of years in the project period. In addition to the refund, the qualified company shall pay interest of nine percent per annum from the date the tax credits were issued on the amount of the refund;

(c) If the qualified company fails to meet its payroll commitment for any year during the project period, it shall refund to the state a portion of its total benefit received under this section based on the following formula:

the total amount of tax credits received by the qualified company, divided by the number of years during the project period, and multiplied by a fraction, the numerator of which is the contractually agreed-upon amount of payroll for that year minus the actual amount of payroll made by the company during the year, and the denominator of which is the contractually agreed upon amount of payroll made for that same year. In addition to the refund, the qualified company shall pay interest of nine percent per annum from the date the tax credits were issued on the amount of the refund;

(d) If the qualified company fails to meet its payroll or new capital investment requirements for any year during the project period and the director has a reasonable belief that the qualified company will not be able to meet its performance requirements during all or any portion of the remainder of the project period, the director may require the company to repay all or a proportionate amount of the total tax credits received by the company attributable to the remaining years of the project period as well as the current year, plus interest of nine percent per annum on the amount of repayment from the date the tax credits were issued.

(5) Prior to the award of benefits under this subsection, the director of the department shall notify the president pro tem of the senate and the speaker of the house of representatives of the amount of the proposed award, including the county and city in which the project facility is located, the number of new jobs and the proposed wages for such new jobs, the estimated amount of new capital investment, and the amount of the projected net fiscal benefit to the state from the project; provided that, nothing herein shall require the disclosure of information otherwise protected from disclosure by law.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 5** was adopted.

Representative Ellinger offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Bill No. 1455, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and are** to be appointed as follows:

- (a) One [member] **or two members** shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Three **or five** members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One [member] **or two members** shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. **If there are nine members initially appointed, the sixth, seventh, eighth, and ninth members shall be designated to serve for terms of two years.** Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2011, any increase in the number of members of the board shall be designated in an order or ordinance. The sixth, seventh, eighth, and ninth members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

- (a) Infrastructure improvements;
- (b) Land and or buildings;
- (c) Machinery and equipment;
- (d) Job training investments;
- (e) Direct business incentives;
- (f) Marketing;
- (g) Administration and legal expenses; and
- (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.”; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

Representative Scharnhorst raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Ellinger, **House Amendment No. 6** was adopted.

On motion of Representative Gatschenberger, **HB 1455, as amended**, was ordered perfected and printed.

HCS HB 1869, relating to initiative and referendum petitions, was taken up by Representative Dugger.

Representative Hoskins assumed the Chair.

Representative Dugger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1869, Page 2, Section 116.090, Line 2, by inserting after the word “petition” the following:

“with the intent to alter the outcome”; and

Further amend said section, Page 2, Line 9, by inserting after the phrase: “both.” on said line the following:

“Nothing in this section shall prohibit a person from signing his or her name to a petition that he or she had previously signed as a sponsoring signatory under section 116.333.”; and

Further amend said bill, Section 116.115, Page 3, Line 1, by deleting from said line the phrase “**petition to**” and inserting in lieu thereof the phrase “**sample sheet to or files an initiative petition with**”; and

Further amend said section, Page 3, Lines 3-5, by deleting said lines and inserting in lieu thereof the following:

“secretary of state, the proposed petition shall no longer be circulated by any person, committee, or other entity. The secretary of state shall vacate the certification of the official ballot title within three days of receiving notice of withdrawal.”; and

Further amend said bill, Section 116.153, Page 4, Line 3, by deleting from said line the phrase: “**an informational public hearing in Jefferson City to take the public testimony of those in support and in opposition to the contents of the petition**” and inserting in lieu thereof the following:

“a public hearing in Jefferson City to take public comment concerning the proposed measure”; and

Further amend said bill, Section 116.332, Page 4, Lines 13-18, by deleting all of said lines and inserting in lieu thereof the following:

“2. Within two days of receipt of any such sample sheet, the secretary of state shall conspicuously post the text of the proposed measure on its website, a disclaimer stating that such text may not constitute the full and correct text as required under section 116.050, and the name of the person or organization submitting the sample sheet. The posting shall be removed within three days of either the withdraw of a petition under section 116.115 or when a petition is rejected for any reason. The secretary of state’s failure to comply with this section shall be considered a violation under subsection 3 of section 610.027.”; and

Further amend said bill, Section 116.333, Page 5, Line 8, by deleting the phrase “**section 116.332**” on said line and inserting in lieu thereof the phrase: “**sections 116.040 and 116.332**”; and

Further amend said section, Page 5, Line 9, by deleting the word “**also**” on said line; and

Further amend said bill, Section 116.334, Page 6, Line 4, by inserting after the phrase “**sample petition**” on said line the following:

“and make such initial certification and the date of such initial certification”; and

Further amend said section, Page 6, Lines 6 and 7, by deleting from said lines the phrase “**sample petition is made available on the secretary of state’s website**” and inserting in lieu thereof the phrase:

“petition is initially certified”; and

Further amend said section, Page 6, Line 9, by enclosing in brackets the word “ten” on said line and inserting immediately thereafter the following:

“twenty-three”; and

Further amend said section, Page 6, Line 9, by inserting after the word “**such**” on said line the word:

“**initial**”; and

Further amend said section, Page 6, Line 19, by inserting after all of said line the following:

“Section B. The provisions of this act are severable. If any provision of this act is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions are valid except to the extent that the court finds the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the will of the people.”; and

Further amend said bill by re-designating the lettered sections in accordance with this amendment; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1869, Page 1, Section A, Line 4, by inserting after all of said line the following:

- “116.010. As used in this chapter, unless the context otherwise indicates,
- (1) "County" means any one of the several counties of this state or the city of St. Louis;
 - (2) "Election authority" means a county clerk or board of election commissioners, as established by section 115.015;
 - (3) "General election" means the first Tuesday after the first Monday in November in even-numbered years;
 - (4) "Official ballot title" means the summary statement, and **on statewide ballot measures proposed by the general assembly the fiscal note summary prepared for all statewide ballot measures in accordance with the provisions of this chapter which shall be placed on the ballot and, when applicable, shall be the petition title for initiative or referendum petitions;**
 - (5) "Statewide ballot measure" means a constitutional amendment submitted by initiative petition, the general assembly or a constitutional convention; a statutory measure submitted by initiative or referendum petition; the question of holding a constitutional convention; and a constitution proposed by a constitutional convention;
 - (6) "Voter" means a person registered to vote in accordance with section 115.151.”; and

Further amend said bill, Page 4, Section 116.153, Line 5, by inserting after all of said section and line the following:

“116.160. 1. [If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without a fiscal note summary, which is to be referred to a vote of the people, after receipt of such resolution or bill the secretary of state shall promptly forward the resolution or bill to the state auditor.] If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without an official summary statement, which is to be referred to a vote of the people, within twenty days after receipt of the resolution or bill, the secretary of state shall prepare and transmit to the attorney general a summary statement of the measure as the proposed summary statement. The secretary of state may seek the advice of the legislator who introduced the constitutional amendment or bill and the speaker of the house or the president pro tem of the legislative chamber that originated the measure. The summary statement may be distinct from the legislative title of the proposed constitutional amendment or bill. The attorney general shall within ten days approve the legal content and form of the proposed statement.

2. The official summary statement shall contain no more than fifty words, excluding articles. The title shall be a true and impartial statement of the purposes of the proposed measure in language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure.

116.175. 1. [Except as provided in section 116.155, upon receipt from the secretary of state's office of any petition sample sheet, joint resolution or bill, the auditor shall assess the fiscal impact of the proposed measure. The state auditor may consult with the state departments, local government entities, the general assembly and others with knowledge pertinent to the cost of the proposal.] Proponents or opponents of any proposed measure, **state departments and local government entities** may submit to the **secretary of state** [auditor] a proposed statement of fiscal impact [estimating the cost of the proposal in a manner consistent with the standards of the governmental accounting standards board and section 23.140, provided that all such proposals are received by the state auditor within ten days of his or her receipt of the proposed measure from the secretary of state]. **Such statement of fiscal impact shall be filed within twenty days of receipt of the sample sheet by the secretary of state. For purposes of this section, "proponent" shall mean the person submitting the sample sheet with the secretary of state or a committee which has filed a statement of committee organization with the Missouri ethics commission designating it is in favor of the proposed ballot measure pursuant to section 130.021.5(10), as long as such filing has occurred prior to submission of the sample sheet with the secretary of state. For purposes of this section, "opponent" shall mean a person or committee which has filed a statement of committee organization with the Missouri ethics commission designating it is opposed to the proposed ballot measure pursuant to section 130.021.5(10). No person or committee shall submit more than one statement of fiscal impact for each initiative petition.**

2. **The secretary of state shall post statements of fiscal impact received pursuant to this section on the secretary of state's website. However, no more than one statement from one proponent shall be accepted or posted to the website by the secretary of state.** [Within twenty days of receipt of a petition sample sheet, joint resolution or bill from the secretary of state, the state auditor shall prepare a fiscal note and a fiscal note summary for the proposed measure and forward both to the attorney general.]

3. The **statement of fiscal impact** [note and fiscal note summary] shall state the measure's estimated cost or savings, if any, to state or local governmental entities **and to businesses in Missouri**. [The fiscal note summary shall contain no more than fifty words, excluding articles, which shall summarize the fiscal note in language neither argumentative nor likely to create prejudice either for or against the proposed measure.]

[4. The attorney general shall, within ten days of receipt of the fiscal note and the fiscal note summary, approve the legal content and form of the fiscal note summary prepared by the state auditor and shall forward notice of such approval to the state auditor.

5. If the attorney general or the circuit court of Cole County determines that the fiscal note or the fiscal note summary does not satisfy the requirements of this section, the fiscal note and the fiscal note summary shall be returned to the auditor for revision. A fiscal note or fiscal note summary that does not satisfy the requirements of this section also shall not satisfy the requirements of section 116.180.]"; and

Further amend said bill, Page 4, Section 116.180, Line 2, by placing an opening bracket in front of the word "and" and placing a closing bracket behind the word "measure"; and

Further amend said bill, page and section, Line 3, by placing an opening bracket in front of the phrase "in separate"; and

Further amend said bill, page and section, Line 4, by placing a closing bracket behind the phrase "statement of the measure"; and

Further amend said bill, page and section, Line 5, by placing an opening and closing bracket around the phrase "and the fiscal note"; and

Further amend said bill, page and section, Line 12, by inserting after all of said section and line the following:

"116.190. 1. Any citizen who wishes to challenge the official ballot title or the fiscal note prepared for a proposed constitutional amendment **or statutory referendum** submitted by the general assembly[, **or the official ballot title prepared for a constitutional amendment submitted** by initiative petition, or by constitutional convention, or for a statutory initiative [or referendum measure], may bring an action in the circuit court of Cole County. The action must be brought within ten days after the official ballot title is certified by the secretary of state in accordance with the provisions of this chapter.

2. The secretary of state shall be named as a party defendant in any action challenging the official ballot title prepared by the secretary of state. [When the action challenges the fiscal note or the fiscal note summary prepared by the auditor, the state auditor shall also be named as a party defendant.] The president pro tem of the senate, the speaker

of the house and the sponsor of the measure and the secretary of state shall be the named party defendants in any action challenging the official summary statement, fiscal note or fiscal note summary prepared pursuant to section 116.155. **“Proponents” as defined in section 116.175 have the right to intervene as party defendants in any suit filed under this section.**

3. The petition shall state the reason or reasons why the summary statement portion of the official ballot title is insufficient or unfair and shall request a different summary statement portion of the official ballot title. [Alternatively,] **Additionally, in the case of a constitutional amendment or statutory referendum submitted by the General Assembly,** the petition shall state the reasons why the fiscal note or the fiscal note summary portion of the official ballot title is insufficient or unfair and shall request a different fiscal note or fiscal note summary portion of the official ballot title.

4. The action shall be placed at the top of the civil docket. Insofar as the action challenges the summary statement portion of the official ballot title, the court shall consider the petition, hear arguments, and in its decision certify the summary statement portion of the official ballot title to the secretary of state. Insofar as the action challenges the fiscal note or the fiscal note summary portion of the official ballot title **of a constitutional amendment or statutory referendum submitted by the general assembly,** the court shall consider the petition, hear arguments, and in its decision, either certify the fiscal note or the fiscal note summary portion of the official ballot title to the secretary of state or remand the fiscal note or the fiscal note summary to the **oversight division of the committee on legislative research** [auditor] for preparation of a new fiscal note or fiscal note summary pursuant to the procedures set forth in section **116.155** [116.175]. Any party to the suit may appeal to the supreme court within ten days after a circuit court decision. In making the legal notice to election authorities under section 116.240, and for the purposes of section 116.180, the secretary of state shall certify the language which the court certifies to him.

5. Any person bringing an action pursuant to this section shall take all necessary actions to have such action presented for dispositive resolution within 120 days of filing of such action. Such action shall be dismissed with prejudice for failure to prosecute unless the circuit court of Cole County enters an order expressly stating that the sole cause for delay was the court’s unavailability. Any person whose action is dismissed for failure to prosecute pursuant to this section shall be assessed all costs of defense, including attorney fees incurred in defending such action.”; and

Further amend said bill, Page 6, Section 116.334, Lines 5-6, by deleting the following phrase:

“and refer a copy of the sample petition to the state auditor for purposes of preparing a fiscal note and fiscal note summary”; and

Further amend said bill, Page 7, Section B, Line 5, by inserting after all of said section and line the following:

“[116.170. If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without a fiscal note summary, which is to be referred to a vote of the people, the state auditor shall, within thirty days of delivery to the auditor, prepare and file with the secretary of state a fiscal note and a fiscal note summary for the proposed measure in accordance with the provisions of section 116.175.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr

Gosen	Grisamore	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Lichtenegger	Loehner	Long	Marshall
McNary	Molendorp	Nance	Neth	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 019

Funderburk	Gatschenberger	Guernsey	Haefner	Hughes
Lauer	Leara	McCaherty	McGhee	Meadows
Nolte	Parkinson	Richardson	Sater	Schneider
Swinger	Talboy	Webber	Zerr	

On motion of Representative Cox, **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Lichtenegger	Loehner	Marshall	McCaherty

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McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt				

NOES: 052

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 020

Anders	Conway 14	Funderburk	Gatschenberger	Guernsey
Lauer	Leara	Long	McGhee	Meadows
Nolte	Richardson	Sater	Swinger	Talboy
Thomson	Webber	Wright	Zerr	Mr Speaker

On motion of Representative Dugger, **HCS HB 1869, as amended**, was adopted.

On motion of Representative Dugger, **HCS HB 1869, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2510 through House Resolution No. 2566

HOUSE CONCURRENT RESOLUTION

Representative Schatz, et al., offered House Concurrent Resolution No. 59.

PERFECTION OF HOUSE BILLS

HB 1540, relating to workers' compensation, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1540, Section 287.120, Page 1, Lines 4-8, by deleting all of said lines and inserting in lieu thereof the following:

“employee’s employment[, and]. **Any employee of such employer shall not be liable for any injury or death for which compensation is recoverable under this chapter and every employer and employees of such employer shall be released from all other liability whatsoever, whether to the employee or any other person, except that an employee shall not be released from liability for injury or death if the employee engaged in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury.** The term “accident” as used in this section shall”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

On motion of Representative Jones (89), **HB 1540, as amended**, was ordered perfected and printed.

HCS HB 1865, relating to economic development incentives, was taken up by Representative Barnes.

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 620.008, Line 2, by deleting the words “**criminal and**” before the word “**financial**”; and

Further amend said bill, Page 3, Section 2, Lines 4 through 8, by deleting all of said lines and inserting the words “**section 536.028.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1** was adopted.

Representative Solon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Line 31, by inserting after all of said section, the following:

“67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by

ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county **not having a township organization** [of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants], the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or, **if applicable to that county, chapter 141, or**, [by judicial foreclosure proceeding,] at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1865, Page 2, Line 15, by deleting the words, “**not having a township organization**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McNary
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Wallingford

PRESENT: 001

McNeil

ABSENT WITH LEAVE: 022

Brown 50	Brown 116	Carter	Cookson	Day
Diehl	Funderburk	Grisamore	Holsman	Hughes
Kander	Lampe	Lauer	McDonald	McManus
Meadows	Nasheed	Sater	Silvey	Still
Talboy	Webber			

On motion of Representative Solon, **House Amendment No. 2, as amended**, was adopted.

Representative Barnes offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 620.007, Lines 1 to 6, and Section 620.008, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following:

"620.007. The department of economic development shall require start-up companies that apply for economic development incentives, where the incentive is provided up-front, to provide verification of financial information when an application for such incentives is submitted to the department. In complying with this section, the department shall define "start-up company"."; and

Further amend said bill, Page 2, Section 620.009, Line 2, by inserting at the end of said line the word **"adverse"**; and

Further amend said bill, Page 2, Section 620.009, Line 9, by deleting the word **"negative"** and inserting in lieu thereof the word **"adverse"**; and

Further amend said bill, Page 3, Section 620.009, Line 19, by inserting after all of said line the following:

"5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse information under this section."; and

Further amend said bill, Page 3, Section 620.019, Line 1, by deleting the words **"five-star"** and inserting in lieu thereof the word **"rating"**; and

Further amend said bill, Page 3, Section 620.019, Line 2, by inserting after the word **"for"** the word **"discretionary"**; and

Further amend said bill, Page 3, Section 1, Lines 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"Section 1. The department of economic development shall include a conflict of interest policy in all new consulting contracts for trade offices located in foreign countries."; and

Further amend said bill, Page 3, Section 2, Lines 1 to 8, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Long offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 1865, Page 1, Lines 1 through 11, by deleting all of said lines and inserting in lieu thereof the following:

‘AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Lines 22 and 23, by deleting the words, **"with a population over three hundred thousand"**; and

Further amend said bill, Page 2, Section 620.007, Lines 1 to 6, and Section 620.008, Lines 1 to 5, by deleting all of said lines"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Long moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 040

Allen	Asbury	Brown 116	Burlison	Cierpiot
Cookson	Crawford	Denison	Dugger	Elmer
Entlicher	Fisher	Fraker	Franklin	Franz
Gatschenberger	Higdon	Hinson	Hough	Kander
Kelley 126	Kirkton	Korman	Lant	Leach
Loehner	Long	McGhee	McNary	Nance
Neth	Nolte	Phillips	Pollock	Reiboldt
Ruzicka	Schoeller	Stream	Wells	Wright

NOES: 103

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Carlson	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cox	Cross	Curtman
Davis	Ellinger	Ellington	Fallert	Fitzwater
Flanigan	Frederick	Fuhr	Gosen	Guernsey
Haefner	Hampton	Harris	Hodges	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelly 24
Klippenstein	Koenig	Kratky	Lair	Largent
Lasater	Leara	Lichtenegger	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Parkinson	Pierson	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schupp	Shively	Shumake	Sifton	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	White	Wieland
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carter	Day	Dieckhaus	Diehl
Funderburk	Grisamore	Holsman	Lampe	Lauer
McDonald	Meadows	Molendorp	Nasheed	Sater
Schieffer	Silvey	Talboy	Webber	Weter

Representative Hoskins offered **House Amendment No. 2 to House Amendment No. 3.**

House Amendment No. 2
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 1865, Page 1, Line 12 through 24, by deleting all of said lines and inserting in lieu thereof the following:

‘Further amend said bill, Page 2, Section 620.009, Line 2, by inserting at the end of said line the word "**adverse, favorable and neutral**"; and

Further amend said bill, Page 2, Section 620.009, Line 9, by deleting the word "**negative**" and inserting in lieu thereof the word "**adverse, favorable and neutral**"; and

Further amend said bill, Page 3, Section 620.009, Line 19, by inserting after all of said line the following:

"5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse, favorable and neutral information under this section."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hoskins moved that **House Amendment No. 2 to House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative Nolte offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Representative Solon offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Lines 22 and 23, by deleting all of said lines and inserting in lieu thereof the following:

"5. This section shall not apply to a political subdivision with a population greater than three hundred thousand according to the latest decennial census that, pursuant to either a charter or other ballot measure approved by"; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Solon, **House Amendment No. 5** was adopted.

Representative Ellinger offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Line 31, by inserting after all of said line the following:

“67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and are** to be appointed as follows:

(a) One [member] **or two members** shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Three **or five** members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One [member] **or two members** shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. **If there are nine members initially appointed, the sixth, seventh, eighth, and ninth members shall be designated to serve for terms of two years.** Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2011, any increase in the number of members of the board shall be designated in an order or ordinance. The sixth, seventh, eighth, and ninth members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold

public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed

to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.”; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

On motion of Representative Ellinger, **House Amendment No. 6** was adopted.

On motion of Representative Barnes, **HCS HB 1865, as amended**, was adopted by the following vote:

AYES: 101

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Ellinger
Elmer	Fallert	Fisher	Fitzwater	Flanigan
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hodges	Holsman
Hughes	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Loehner	Marshall	McCaherty
McCreery	McNary	McNeil	Nance	Nasheed
Neth	Nichols	Nolte	Oxford	Parkinson
Pierson	Quinn	Richardson	Riddle	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swinger	Taylor	Thomson	Torpey
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 051

Anders	Asbury	Atkins	Carlson	Carter
Colona	Cookson	Denison	Dugger	Ellington
Entlicher	Fraker	Franklin	Gatschenberger	Hampton
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 63	Klippenstein	Korman	Kratky
Lichtenegger	Long	May	McCann Beatty	McDonald
McGeoghegan	McManus	Molendorp	Montecillo	Morgan
Newman	Pace	Phillips	Pollock	Redmon
Rizzo	Ruzicka	Schieffer	Schupp	Spreng
Swearingen	Wallingford	Walton Gray	Webb	Wells
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Diehl	Franz	Funderburk	Lauer
McGhee	Meadows	Reiboldt	Sater	Talboy
Webber				

On motion of Representative Barnes, **HCS HB 1865, as amended**, was ordered perfected and printed.

HCS HB 1966, relating to records of activity as evidence, was taken up by Representative Burlison.

HCS HB 1966 was laid over.

HCS HB 1254, relating to agriculture, was taken up by Representative Klippenstein.

Representative Klippenstein offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1254, Page 9, Section 262.750, Line 8, by inserting after all of said section and line the following:

“262.795. Any law to the contrary notwithstanding, a child, as defined in subdivision (1) of section 294.011, may perform agriculture work, as defined in subdivision (1) of section 290.500, on a farm owned and operated by the child's parent, sibling, grandparent or sibling of a parent or, if performed by the child with the knowledge and consent of the child's parent, on any family farm, as defined in subdivision (4) of section 350.010, or on any family farm corporation, as defined in subdivision (5) of section 350.010, including work that would otherwise be prohibited by subdivisions (1), (2), (3), (7), and (12) of section 294.040; but no such child shall be permitted to engage in any other activities prohibited by section 294.040. The term "parent", as used in this section, shall have the same meaning as in subdivision (8) of section 294.011. Children engaged in work permitted by this section may do so without obtaining a work certificate as required by section 294.024. Children engaged in work permitted by this section are not subject to the limitations set out in section 294.030 and subsection 4 of section 294.045.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Klippenstein, **House Amendment No. 1** was adopted.

Representative Johnson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1254, Pages 9-10, Section 262.975, Lines 1-43, by deleting all of said lines and inserting in lieu thereof the following:

“262.975. 1. The department of agriculture shall build and maintain, by contract or otherwise, a Missouri international agricultural exchange website with search engine optimization technology. Such website shall contain content licensed by the department to promote Missouri agricultural products to international agricultural buyers.

2. The exchange shall be a website to post Missouri-based agricultural products to the producer to assist in marketing such products to international buyers. All sellers shall be required to register through the

department and provide a Missouri address. Only agricultural products produced in this state shall be allowed on the exchange website.

3. The state of Missouri retains ownership of all content on the exchange. The department or a website developer, if contracted, is authorized to:

(1) Use all informational content approved by the department of agriculture, and apply search engine optimization to the website content to achieve a high search engine ranking; and

(2) Sell advertising on the exchange website to any entity that will benefit from marketing to international agriculture producers and buyers. If contracted, the website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the exchange website, with the website developer retaining all advertising revenues obtained from such exchange website to provide the financing for such exchange website.

4. If contacted, the website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department;

(2) Demonstrate prior experience with website development projects which increased search engine rankings for the client.

5. If contracted, the department of agriculture, in consultation with the department of economic development, shall review all applications and award a contract for the development, design, marketing, and maintenance of the exchange website, with renewals for continuing upgrades, marketing, and maintenance of the website. The department shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department may have a contract terminated for failure to operate under the department's guidelines for the exchange website. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 2** was adopted.

Representative Quinn offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1254, Page 5, Section 262.005, Line 1, by inserting after the number "**262.005**," the number "**1**"; and

Further amend said bill, page, and section, Line 5, by inserting after all of said line the following:

"2. Nothing in this section shall be construed or interpreted to limit the authority of the department of agriculture or the state veterinarian to carry out the department's statutory and regulatory responsibilities and functions as currently and hereafter provided under Chapters 261 to 281, Chapter 350 and Chapters 411 to 414 and all rules and regulations promulgated thereunder."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Quinn, **House Amendment No. 3** was adopted.

Representative Ruzicka offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1254, Page 20, Section 537.850, Lines 22-23, by deleting the words “**conducted with ordinary care by a registered agritourism operator**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 4** was adopted.

Representative Schieffer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1254, Page 5, Section 262.257, Line 1, by inserting after the word “**all**” the word “**qualified**”; and

Further amend said bill, Page 25, Section 2, Line 3, by inserting after the word “**all**” the word “**qualified**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieffer, **House Amendment No. 5** was adopted.

Representative Holsman offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1254, Page 9, Section 262.750, Line 8, by inserting after all of said line the following:

"262.900. 1. As used in this section, the following terms mean:

(1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed state, that has been produced, processed, or otherwise had value added to it in this state;

(2) "Blighted area", that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;

(3) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(4) "Grower UAZ", a type of UAZ:

(a) That can either grow produce, raise livestock, or produce other value added agricultural products;

(b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty domesticated animals;

(5) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(6) "Locally grown", a product that was grown or raised in the same county as the UAZ or in an adjoining county. For a product raised or sold in a city not within a county, locally grown includes those counties adjoining a county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(7) "Processing UAZ", a type of UAZ:

- (a) That processes livestock or poultry for human consumption;
 - (b) That meets federal and state processing laws and standards;
 - (8) "Meat", any edible portion of livestock or poultry carcass or part thereof;
 - (9) "Meat product", anything containing meat intended for or capable of use for human consumption, which is derived, in whole or in part, from livestock or poultry;
 - (10) "Poultry", any domesticated bird intended for human consumption;
 - (11) "Value added agricultural products", any product or products that are the result of:
 - (a) Using an agricultural product grown in this state to produce a meat or dairy product in this state;
 - (b) A change in the physical state or form of the original agricultural product;
 - (c) An agricultural product grown in this state whose value has been enhanced by special production methods such as organically grown products; or
 - (d) A physical segregation of a commodity or agricultural product grown in this state that enhances its value such as identity preserved marketing systems;
 - (12) "Urban agricultural zone" or "UAZ", a zone that contains the following activities to qualify for the benefits provided under this section:
 - (a) Any organization or person who grows produce or other agricultural products;
 - (b) Any organization or person that raises livestock or poultry;
 - (c) Any organization or person who processes livestock or poultry;
 - (d) Any organization that sells at a minimum seventy-five percent locally grown food;
 - (13) "Vending UAZ", a type of UAZ:
 - (a) That sells produce, meat, or value added locally grown agricultural goods;
 - (b) That applies to the department of agriculture for an UAZ vendor license;
 - (c) That is able to accept food stamps under the provisions of the Federal Food Stamp Program as a form of payment.
2. (1) A person or organization shall submit to any incorporated municipality an application to develop an UAZ on a blighted area of land. Such application shall demonstrate or identify on the application:
- (a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or a combination of all three types of UAZs provided in this paragraph, in which case the person or organization shall meet the requirements of each type of UAZ in order to qualify;
 - (b) The number of jobs to be created;
 - (c) The types of products to be produced (i.e. produce, value added agriculture products, livestock/domesticated animal);
 - (d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of the Federal Food Stamp Program if selling products to consumers.
- (2) A municipality shall review and modify the application as necessary before either approving or denying the request to establish an UAZ.
- (3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the development of the UAZ. After twenty-five years, the UAZ shall dissolve. If the municipality finds during its review that the UAZ is not meeting the requirements set out in this section, the municipality may dissolve the UAZ.
3. Once the requirements of this section have been complied with, the real property of the UAZ shall not be subject to assessment or payment of ad valorem taxes on real property imposed by the cities affected by this section, or by the state or any political subdivision thereof, for a period of ten years at which time the property shall then be reassessed. The UAZ shall then pay fifty percent of the assessed value for the next fifteen years. If only a portion of real property is used as an UAZ, then only that portion of real property shall not be subject to assessment or payment of ad valorem taxes on such property.
4. If the water services for the UAZ are provided by the municipality, a grower UAZ shall pay wholesale water rates, if available, for the cost of water consumed on the UAZ and shall pay fifty percent of the standard cost to hook onto the water source.
5. (1) Any sales tax revenues received from the sale of products sold in the UAZ, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats, and outboard motors, and future sales taxes earmarked by law, shall be deposited in the urban agricultural zone fund established in subdivision (2) of this subsection. School districts may apply to the state treasurer for money in the fund to be used for the development of curriculum on or the implementation of urban farming practices under the guidance of the University of Missouri extension service and a certified vocational agricultural instructor. The funds are to be distributed within the school district in which the UAZ is located.

(2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund", which shall consist of money collected under subdivision (1) of this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of subdivision (1) of this subsection. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The provisions in this section shall supercede any local ordinances to the contrary."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 6** was adopted.

Representative McNeil offered **House Amendment No. 7**.

Representative Cierpiot raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Klippenstein, **HCS HB 1254, as amended**, was adopted.

On motion of Representative Klippenstein, **HCS HB 1254, as amended**, was ordered perfected and printed.

HB 2099, relating to the Whistleblower Protection Act, was taken up by Representative Elmer.

Representative Korman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 2099, Page 1, Section 213.200, Line 8, by inserting after the word "state" the following: "**or any public entity with the status of a governmental body**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1** was adopted.

Representative Taylor offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 2099, Section 213.200, Page 1, Line 6, by deleting "**six**" and inserting in lieu thereof "**one**"; and

Further amend said section, Page 2, Line 42, by deleting "**more than five and**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Taylor, **House Amendment No. 2** was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 008

Curtman	Dugger	Franklin	Klippenstein	Koenig
Pollock	Schad	Wells		

PRESENT: 000

ABSENT WITH LEAVE: 013

Day	Dieckhaus	Diehl	Funderburk	Lauer
McGhee	McNary	Meadows	Riddle	Sater
Swinger	Talboy	Mr Speaker		

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McGhee
McNary	Molendorp	Nance	Neth	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Diehl	Funderburk	Guernsey	Hampton
Hughes	Jones 117	Lauer	McCaherty	Meadows
Nolte	Parkinson	Sater	Scharnhorst	Talboy
Mr Speaker				

On motion of Representative Elmer, **HB 2099, as amended**, was ordered perfected and printed by the following vote:

AYES: 085

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Nance	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Sommer
Stream	Swinger	Thomson	Wallingford	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 067

Anders	Atkins	Aull	Barnes	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Higdon	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	Largent	Lasater	Leach
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Molendorp	Montecillo
Morgan	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieber	Schieffer	Schupp	Shively	Sifton
Smith 71	Solon	Spreng	Still	Swearingen
Taylor	Torpey	Walton Gray	Webb	Webber
Weter	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Diehl	Funderburk	Guernsey	Hughes
Lauer	Meadows	Nolte	Parkinson	Sater
Talboy				

THIRD READING OF SENATE BILL

SB 564, relating to motorcycle rider training, was taken up by Representative Davis.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 564, Page 1, In the Title, Lines 3 through 5, by deleting all of said lines and inserting in lieu thereof the words, “to motor vehicles”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

“302.130. 1. Any person at least fifteen years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary instruction permit entitling the applicant, while having such permit in the applicant's immediate possession, to drive a motor vehicle of the appropriate class upon the highways for a period of twelve months, but any such person, except when operating a motorcycle or motortricycle, must be accompanied by a licensed operator for the type of motor vehicle being operated who is actually occupying a seat beside the driver for the purpose of giving instruction in driving the motor vehicle, who is at least twenty-one years of age, and in the case of any driver under sixteen years of age, the licensed operator occupying the seat beside the driver shall be a grandparent, parent, guardian, a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers' education program who has a valid driver's license. An applicant for a temporary instruction permit shall successfully complete a vision test and a test of the applicant's ability to understand highway signs which regulate, warn or direct traffic and practical knowledge of the traffic laws of this state, pursuant to section 302.173. In addition, beginning January 1, 2007, no permit shall be granted pursuant to this subsection unless a parent or legal guardian gives written permission by signing the application and in so signing, state they, or their designee as set forth in subsection 2 of this section, will provide a minimum of forty hours of behind-the-wheel driving instruction, including a minimum of ten hours of behind-the-wheel driving instruction that occurs during the nighttime hours falling between sunset and sunrise. The forty hours of behind-the-wheel driving instruction that is completed pursuant to this subsection may include any time that the holder of an instruction permit has spent operating a motor vehicle in a driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or by a qualified instructor of a private drivers' education program. If the applicant for a permit is enrolled in a federal residential job training program, the instructor, as defined in subsection 5 of this section, is authorized to sign the application stating that the applicant will receive the behind-the-wheel driving instruction required by this section.

2. In the event the parent, grandparent or guardian of the person under sixteen years of age has a physical disability which prohibits or disqualifies said parent, grandparent or guardian from being a qualified licensed operator pursuant to this section, said parent, grandparent or guardian may designate a maximum of two individuals authorized to accompany the applicant for the purpose of giving instruction in driving the motor vehicle. An authorized designee must be a licensed operator for the type of motor vehicle being operated and have attained twenty-one years of age. At least one of the designees must occupy the seat beside the applicant while giving instruction in driving the motor vehicle. The name of the authorized designees must be provided to the department of revenue by the parent, grandparent or guardian at the time of application for the temporary instruction permit. The name of each authorized designee shall be printed on the temporary instruction permit, however, the director may delay the time at which permits are printed bearing such names until the inventories of blank permits and related forms existing on August 28, 1998, are exhausted.

3. The director, upon proper application on a form prescribed by the director, in his or her discretion, may issue a restricted instruction permit effective for a school year or more restricted period to an applicant who is enrolled in a high school driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education even though the applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such instruction permit shall entitle the applicant, when the applicant has such permit in his or her immediate possession, to operate a motor vehicle on the highways, but only when a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education is occupying a seat beside the driver.

4. The director, in his or her discretion, may issue a temporary driver's permit to an applicant who is otherwise qualified for a license permitting the applicant to operate a motor vehicle while the director is completing the director's investigation and determination of all facts relative to such applicant's rights to receive a license. Such permit must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused.

5. In the event that the applicant for a temporary instruction permit described in subsection 1 of this section is a participant in a federal residential job training program, the permittee may operate a motor vehicle accompanied by a driver training instructor who holds a valid driver education endorsement issued by the department of elementary and secondary education and a valid driver's license.

6. A person at least fifteen years of age may operate a motor vehicle as part of a driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers' education program.

7. Beginning January 1, 2003, the director shall issue with every temporary instruction permit issued pursuant to subsection 1 of this section a sticker or sign bearing the words "PERMIT DRIVER". The design and size of such sticker or sign shall be determined by the director by regulation. Every applicant issued a temporary instruction permit and sticker on or after January 1, 2003, may display or affix the sticker or sign on the rear window of the motor vehicle. Such sticker or sign may be displayed on the rear window of the motor vehicle whenever the holder of the instruction permit operates a motor vehicle during his or her temporary permit licensure period.

8. Beginning July 1, 2005, the director shall verify that an applicant for an instruction permit issued under this section is lawfully present in the United States before accepting the application. The director shall not issue an instruction permit for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any permit issued under this section.

9. Notwithstanding subsection 1 of this section, if an applicant is issued a temporary instruction permit under the provisions of this section that includes a motorcycle endorsement, then such temporary instruction permit shall only entitle the applicant to operate a motor vehicle, motorcycle, or motortricycle for a period of six months and such applicant may only renew such permit two additional times, for a total maximum cumulative permit period of eighteen months pursuant to section 302.132.

10. The director may adopt rules and regulations necessary to carry out the provisions of this section.

302.132. 1. Any person at least fifteen and one-half years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may apply, with the written consent of the parent or guardian of such person, for a temporary motorcycle instruction permit to operate a motorcycle or motortricycle.

2. The director shall issue a temporary motorcycle instruction permit under this section if the applicant has completed a motorcycle rider training course approved under sections 302.133 to 302.138 and is otherwise eligible for the temporary permit.

3. A person receiving a temporary motorcycle permit and having it in his **or her** immediate possession shall be entitled to operate a motorcycle or motortricycle for a period of six months upon the highways of the state, and [persons under the age of sixteen] **such person** shall be subject to the following restrictions:

(1) [The motorcycle or motortricycle may not have an engine with a displacement of greater than two hundred fifty cubic centimeters;

(2)] The operator shall not travel at any time from a half-hour after sunset to a half-hour before sunrise; **and**

[(3)] (2) The operator shall not carry any passengers; and

(4) The operator shall not travel over fifty miles from the operator's home address].

4. An applicant issued a temporary motorcycle instruction permit under this section may renew such permit two additional times, for a total maximum permit period of eighteen months. After such period the applicant shall complete the required written examinations to obtain a temporary motorcycle instruction permit or a temporary instruction permit with a motorcycle endorsement.”; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

“Section B. The repeal and reenactment of sections 302.130 and 302.132 shall become effective May 1, 2013.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Pollock offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 564, Page 4, Section 302.173, Line 100, by inserting after all of said section and line the following:

“Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Entlicher offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to Senate Bill No. 564, Page 1, Line 7, by inserting after all of said line the following:

‘Further amend said section and line, by inserting after all of said section and line the following:

“Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Entlicher, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Pollock, **House Amendment No. 2, as amended**, was adopted.

Representative Nance offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Bill No. 564, Page 1, Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the following:

“to motor vehicle operation.”; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said section and line the following:

“302.341. 1. If a Missouri resident charged with a moving [traffic] violation, **as defined in section 302.010**, of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village **meets the criteria established in subsection 6 of this section** and receives more than thirty-five percent of its annual general operating revenue from fines and court costs for [traffic] **cited moving violations** occurring on state highways, **whether the violation is adjudicated finally as a moving or nonmoving violation**, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. [The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue.]

3. **The governing body of each city, town, or village that meets the criteria established in subsection 6 of this section shall cause to be prepared an annual report of the fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation occurring on state highways, along with the entity's annual general revenue for the year, in such summary form as the department of revenue shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of the entity's general operating revenue for the year, the entity shall include with the annual report payment of the excess revenues to the director of the department of revenue. The payment of excess revenues shall be disbursed as provided in subsection 2 of this section.** If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. [Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.]

4. **The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the**

authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. In the event a city, town, or village that meets the criteria established in subsection 6 of this section fails to comply with subsections 2 and 3 of this section, such entity shall be subject to a civil penalty in an amount up to one thousand dollars. The department of revenue shall determine the amount of the penalty by taking into account the size of the entity, the seriousness of the offense, and whether the city, town, or village has violated the provisions of subsections 2 and 3 of this section previously. The director of revenue or his or her designated representative shall administer and enforce the provisions of this section and may develop, prescribe, and issue any forms, notices, or other written documents to enforce such authority and to ensure that every city, town, or village is in compliance with the provisions of subsections 2 and 3 of this section.

6. The provisions of subsections 2, 3, 4, and 5 of this section shall only apply to any city, town, or village with:

(1) Less than two million dollars in general revenue, excluding fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation; and

(2) Fines and court costs from cited moving violations, whether finally adjudicated as a moving or nonmoving violation, in excess of seventy thousand dollars.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 3** was adopted.

Representative Wells offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Bill No. 564, Page 1, In the Title, Lines 3 to 5, by deleting all of said lines and inserting in lieu thereof the words, “to motor vehicles.”; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise		Maximum load in pounds			
feet	2 axles	3 axles	4 axles	5 axles	6 axles

4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in [subsection 9] **subsections 9 and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway [65] **63**, [and] on U.S. Highway 65 from the Iowa state line to U.S. Highway 36, **and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36.**

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 4** was adopted.

Representative Sommer offered **House Amendment No. 5.**

House Amendment No. 5

AMEND Senate Bill No. 564, Page 1, Lines 3-5 of the Title, by deleting all of said lines and inserting in lieu thereof the following:

“motor vehicles.”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

- (1) Operate any vehicle upon any highway in this state unless the person has a valid license;
- (2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;
- (3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;
- (4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Beginning January 1, 2014, every applicant who is under twenty-one years of age and applies for a motorcycle license or endorsement shall show proof that he or she has successfully completed a motorcycle training course approved under sections 302.133 to 302.138.

3. Every person operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

[3.] **4.** Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sommer moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Long offered **House Amendment No. 6.**

House Amendment No. 6

AMEND Senate Bill No. 564, Page 1, In the Title, Lines 3 through 5, by deleting all of said lines and inserting in lieu thereof the words, “to motor vehicles.”; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

“302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon

receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record **if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense**. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) "CDLIS driver record", the electronic record of the individual commercial driver's status and history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;

(4) "CDLIS motor vehicle record (CDLIS MVR)", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)] (6) "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)] (7) "Commercial driver's license downgrade", occurs when:

(a) A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;

(b) A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;

(c) A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(d) The state removes the commercial driver's license privilege from the driver's license;

(8) "Commercial driver's license information system (CDLIS)", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)] (9) "Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)] (10) "Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)] (11) "Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendere, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)] (12) "Director", the director of revenue or his authorized representative;

[(10)] (13) "Disqualification", any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver's license;

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state, **Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)] (14) "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)] (15) "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)] (17) "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)] (18) "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)] (19) "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)] (21) "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision [(21)] (27) of this subsection;

[(17)] (22) "Fatality", the death of a person as a result of a motor vehicle accident;

[(18)] (23) "Felony", any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;

(24) "Foreign", outside the fifty states of the United States and the District of Columbia;

[(19)] (25) "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)] (26) "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;

[(21)] (27) "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)] (28) "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)] (29) "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)] (32) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;

[(25)] (33) "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;

[(26)] (34) "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)] (35) "Out-of-service order", a declaration by [the Federal Highway Administration, or any] **an** authorized enforcement officer of a federal, state, [Commonwealth of Puerto Rico,] Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service **under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria;**

[(28)] (36) "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)] (37) "Secretary", the Secretary of Transportation of the United States;

[(30)] (38) "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or revocation of the driver's license or noncommercial motor vehicle driving privilege:

- (a) Excessive speeding, as defined by the Secretary by regulation;
 - (b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;
 - (c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;
 - (d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;
 - (e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;
 - (f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or
 - (g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;
- [(31)] (39) "State", a state[, territory or possession] of the United States[, the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada];
- [(32)] (40) "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

- (1) Nonexcepted interstate:** Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;
- (2) Excepted interstate:** Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;
- (3) Nonexcepted intrastate:** Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;
- (4) Excepted intrastate:** Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change

in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 6** was adopted.

Representative Korman offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Bill No. 564, Page 1, Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the phrase “to transportation.”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line, the following:

“142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel[,] **or hydrogen** and for which a valid **alternative fuel** decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: [seventy-five] **one hundred forty** dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred **eighty-five** dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; [one] **two hundred [fifty] eighty** dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; [two] **four hundred [fifty] seventy** dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand **eight hundred eighty** dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel, and for which a valid temporary alternative fuel decal has been acquired as provided in this

section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of [eight] **twelve** dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such **temporary** decal and fee shall not be transferable. [All proceeds from such decal fees shall be deposited as specified in section 142.345.] Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be **created and** supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

4. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

5. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

6. It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal.

7. No person shall cause to be put, or put, LP gas or natural gas into the fuel supply receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal attached to it. Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.

8. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.

10. For all new alternative fuel or hydrogen-powered vehicles assembled in Missouri, the first year's decal fee shall be one-half of the fees as proposed in this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Brattin offered **House Amendment No. 8.**

House Amendment No. 8

AMEND Senate Bill No. 564, Page 1, In the Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the words, “to transportation.”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

“142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a

farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which

may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

- (a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for

common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is

exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event[.];

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010.”; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

On motion of Representative Brattin, **House Amendment No. 8** was adopted.

On motion of Representative Davis, **SB 564, as amended**, was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair

Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 006

Carlson	Curtman	Kirkton	McCreery	McNeil
Schupp				

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Dieckhaus	Diehl	Funderburk	Hubbard
Hughes	Jones 63	Lampe	Lauer	Sater
Scharnhorst	Talboy			

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 2001**, entitled:

An act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds of these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2002**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2003**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2004**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2005**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2006**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, Page 14, Section 6.285, Line 4, by striking the number "\$21,205,230" and inserting in lieu thereof the number "\$20,905,230"; and

Further amend said section, Page 15, Line 38, by striking the number "660.71" and inserting in lieu thereof of the following number "659.71"; and

Further amend all totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2007**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2008**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2009**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2010**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2011**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 26, Section 11.495, Lines 12-20, by striking all of said lines and inserting in lieu thereof the following:

“with Section 191.710, RSMo”;

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 8, Section 11.128, Lines 3-10, by striking all of said lines and inserting in lieu thereof the following:

“For the purpose of funding healthcare benefits for non-Medicaid eligible blind individuals who receive the Missouri Blind Pension cash grant”; and

Further amend said page, Section 11.128, Line 14, by inserting immediately after said line the following new section:

“Section 11.129. To the Department of Social Services
There is hereby transferred out of the State Treasury, chargeable to the General Revenue Fund, to the
Blind Pension Premium Fund
From General Revenue. \$8,632,576”; and

Further amend all totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2012**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive’s Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2013**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2014**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 568, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HCS HB 2014** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 2014** was delivered to the Governor by the Chief Clerk of the House.

Speaker Pro Tem Schoeller resumed the Chair.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 742 - Health Care Policy

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 689**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1728**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 599**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Animal Agriculture, Chairman Wright reporting:

Mr. Speaker: Your Committee on Emerging Issues in Animal Agriculture, to which was referred **SCS SB 566**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SCS SB 470**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SB 665**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 673**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SCS SB 715**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, April 26, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued discussion of DSS policies and procedures

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 26, 2012, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HCR 57, HB 2106

Executive session may be held on any matter referred to the committee.

AMENDED

FISCAL REVIEW

Thursday, April 26, 2012, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

2nd quarter meeting

AMENDED

RULES

Thursday, April 26, 2012, 9:35 AM House Hearing Room 2.

Public hearing will be held: HR 959, HR 1773

Executive session will be held: HR 959, HR 1773

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, April 26, 2012, 9:35 AM House Hearing Room 2.

Executive session will be held: HCS#2 HB 1213, HB 1357, HCS HB 1526, HCS HB 1585, HCS HB 1846, HCS HB 1971, HCS HB 1988, HCS SB 455, HCS SS SCS SB 467, HCS SCS SB 480, HCS SCS SB 498, HCS SB 578, HCS SCS SB 655

Executive session may be held on any or all bills referred to this committee

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 30, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: SCS SB 856

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, May 1, 2012, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Executive session on previously referred bills

TOURISM AND NATURAL RESOURCES

Thursday, April 26, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCR 25, SS SCR 16, SCS SCR 17, HR 1880

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 26, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1673, HB 1478, HB 1976

HOUSE CALENDAR

SIXTY-THIRD DAY, THURSDAY, APRIL 26, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 4 HCS HB 1049 - Allen
- 5 HCS HB 1210, as amended - Gatschenberger
- 6 HCS HB 1795 - Ruzicka
- 7 HCS HB 1803 - Korman
- 8 HCS HB 1966 - Burlison
- 9 HCS HB 1328 - Cox
- 10 HB 1779 - Flanigan
- 11 HCS HB 1794 - Grisamore
- 12 HCS HB 1854 - Grisamore
- 13 HCS HB 1754 - Cox
- 14 HCS HB 1815 - Pollock
- 15 HB 1842 - Lant
- 16 HCS HB 1900 - Redmon
- 17 HCS HB 1922 - Molendorp
- 18 HCS HB 1935 - Franz
- 19 HB 2063 - Denison
- 20 HCS HB 2100 - Denison
- 21 HCS HB 1709 - Hough
- 22 HCS HB 1710 - Hough
- 23 HCS HBs 1076 & 1302 - Wyatt
- 24 HCS HB 1245 - Lauer
- 25 HCS#2 HB 1358 - Gatschenberger
- 26 HCS HB 1397 - Gatschenberger
- 27 HCS HBs 1542 & 1101 - Koenig

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee
- 5 HCS HB 1117 - Brown (50)
- 6 HCS#2 HB 1475 - Cross
- 7 HB 1592 - Jones (89)
- 8 HCS HB 1758 - Long
- 9 HCS HB 1280 - Korman
- 10 HCS HBs 1741 & 1543 - Leara
- 11 HCS HB 1137 - Lauer
- 12 HCS HB 1818 - Schad
- 13 HB 1455 - Gatschenberger
- 14 HCS HB 1869, E.C. - Dugger
- 15 HB 1540 - Jones (89)
- 16 HCS HB 1865 - Barnes
- 17 HCS HB 1254 - Klippenstein
- 18 HB 2099 - Elmer

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 569 - Dugger
- 2 SB 611 - Stream
- 3 SS SCS SB 719, E.C. - Brown (116)
- 4 HCS SCS SB 562, E.C. - Thomson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HB 1106, as amended - Dugger
- 2 SS HCS HB 2001 - Silvey
- 3 SS SCS HCS HB 2002 - Silvey
- 4 SS SCS HCS HB 2003 - Silvey
- 5 SS SCS HCS HB 2004 - Silvey
- 6 SS SCS HCS HB 2005 - Silvey
- 7 SS SCS HCS HB 2006, as amended - Silvey
- 8 SS SCS HCS HB 2007 - Silvey
- 9 SS SCS HCS HB 2008 - Silvey
- 10 SS SCS HCS HB 2009 - Silvey
- 11 SS SCS HCS HB 2010 - Silvey
- 12 SS SCS HCS HB 2011, as amended - Silvey
- 13 SS SCS HCS HB 2012 - Silvey
- 14 SS SCS HCS HB 2013 - Silvey

BILLS CARRYING REQUEST MESSAGES

HCS SB 568, as amended (request House recede/grant conference), E.C. - Franz

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE RESOLUTIONS

HR 1365 - Bahr

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-THIRD DAY, THURSDAY, APRIL 26, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

We know that in everything God works for good with those who love Him. (Romans 8:28)

Almighty God, from Whom we come, with Whom we live, and unto Whom our spirits return, may we feel the tap of Your finger upon our shoulders and the touch of Your spirit upon our hearts as we at this moment lift ourselves to You in prayer.

Always You are with us - always. Help us to become more aware of Your presence, renewing our faith in the goodness of life, restoring our spirits to the comfort of Your love, and reinvigorating our minds with fresh and positive thoughts.

We do not pray for relief from heavy responsibilities but for the gift of Your power which will help us to meet them with honor; not for fewer burdens but for greater strength to manage them with patience; not for less trouble but for more trust in You which will help us to master trouble with confidence. In all of life may we be more than conquerors through Him Who loves us.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mary Grace Campbell, Rachael Prawitz, Jacob Cogley, Sydney Nolte, Lauren Stanley and Hannah Benningfield.

The Journal of the sixty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2567 through House Resolution No. 2644

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1254 - Fiscal Review

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1254**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 1117, relating to the Missouri and Midwest Rail Integration and Improvement Commission, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HCS HB 1117** was read the third time and passed by the following vote:

AYES: 134

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Leara	Lichtenegger	Long	Marshall
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 002

Franklin Leach

PRESENT: 000

ABSENT WITH LEAVE: 027

Allen	Bernskoetter	Carter	Colona	Day
Fraker	Franz	Frederick	Funderburk	Grisamore
Hughes	Kelley 126	Lauer	Loehner	May
McManus	Meadows	Nasheed	Parkinson	Redmon
Sater	Schneider	Smith 71	Still	Talboy
Webb	Wright			

Speaker Tilley declared the bill passed.

HCS#2 HB 1475, relating to tanning devices, was taken up by Representative Cross.

HCS#2 HB 1475 was laid over.

HB 1592, relating to taxes and revenue bonds, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 1592** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

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NOES: 008

Asbury	Bahr	Brattin	Curtman	Koenig
Leach	Marshall	Schieber		

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Funderburk	Grisamore	Holsman	Hughes
Lauer	Meadows	Redmon	Sater	Silvey
Talboy	Wells			

Speaker Tilley declared the bill passed.

HCS HB 1758, relating to parent/child relationships, was taken up by Representative Long.

On motion of Representative Long, **HCS HB 1758** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGeoghegan
McGhee	McManus	McNary	Molendorp	Morgan
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Scharnhorst
Schatz	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 029

Carlson	Colona	Ellinger	Ellington	Hummel
Kirkton	Marshall	May	McCann Beatty	McCreery
McNeil	Montecillo	Newman	Oxford	Pace

Pierson	Rizzo	Schad	Schieber	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Taylor	Walton Gray	Webb	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Funderburk	Grisamore	Holsman	Hughes
Kelly 24	Lauer	Meadows	Redmon	Sater
Talboy				

Speaker Tilley declared the bill passed.

HCS HB 1280, relating to a peer review process for design professionals, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1280** was read the third time and passed by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Leach
Leara	Lichtenegger	Lochner	Long	McNary
Nance	Neth	Parkinson	Phillips	Pollock
Reiboldt	Riddle	Rowland	Ruzicka	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Zerr	Mr Speaker		

NOES: 061

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 14
Conway 27	Ellinger	Ellington	Fallert	Hampton
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Largent	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Molendorp
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Richardson
Rizzo	Schieffer	Schupp	Shively	Sifton

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Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Taylor	Walton Gray	Webb	Webber
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Funderburk	Holsman	Hughes	Lauer
McCaherty	McGhee	Meadows	Nolte	Redmon
Sater	Scharnhorst	Talboy	Wright	

Speaker Tilley declared the bill passed.

Representative Smith (150) assumed the Chair.

HCS HBs 1741 & 1543, relating to public employee retirement benefits, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HBs 1741 & 1543** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Reiboldt	Riddle	Rizzo	Schad	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey

Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Funderburk	Hubbard	Hughes	Lauer
McGhee	Meadows	Pollock	Redmon	Richardson
Rowland	Ruzicka	Sater	Scharnhorst	Schneider
Talboy	Mr Speaker			

Representative Smith (150) declared the bill passed.

HCS HB 1137, relating to adoptions, was taken up by Representative Long.

On motion of Representative Long, **HCS HB 1137** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Pace	Parkinson	Phillips	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieffer	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

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NOES: 010

Colona	Ellinger	Jones 63	May	McCreery
Oxford	Pierson	Schieber	Schupp	Sifton

PRESENT: 000

ABSENT WITH LEAVE: 018

Black	Day	Elmer	Funderburk	Hubbard
Hughes	Lauer	McGhee	McNary	Meadows
Nolte	Pollock	Redmon	Sater	Scharnhorst
Schneider	Talboy	Mr Speaker		

Representative Smith (150) declared the bill passed.

HB 2099, relating to the Whistleblower Protection Act, was taken up by Representative Elmer.

On motion of Representative Elmer, **HB 2099** was read the third time and passed by the following vote:

AYES: 086

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Nance	Nolte	Parkinson
Phillips	Pollock	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Sommer
Stream	Swinger	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 066

Anders	Atkins	Aull	Barnes	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Largent	Lasater	Leach	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieber	Schieffer	Schupp	Shively	Sifton

Smith 71	Solon	Spreng	Still	Swearingen
Taylor	Torpey	Walton Gray	Webb	Webber
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Dieckhaus	Franz	Funderburk	Hinson
Hubbard	Lauer	Redmon	Sater	Scharnhorst
Talboy				

Representative Smith (150) declared the bill passed.

HCS HB 1818, relating to property tax on time-share units, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 1818** was read the third time and passed by the following vote:

AYES: 118

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hughes	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCreery	McGhee	McManus	Molendorp	Nance
Neth	Newman	Nolte	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 030

Anders	Atkins	Carlson	Carter	Ellinger
Ellington	Holsman	Hummel	Jones 63	May
McCann Beatty	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Smith 71	Spreng
Still	Swearingen	Walton Gray	Webb	Webber

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PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Day	Franz	Funderburk	Hinson
Hubbard	Klippenstein	Lauer	McNary	Meadows
Redmon	Sater	Scharnhorst	Talboy	Mr Speaker

Representative Smith (150) declared the bill passed.

HB 1540, relating to workers' compensation, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 1540** was read the third time and passed by the following vote:

AYES: 099

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Loehner	Long	McCaherty
Molendorp	Nance	Neth	Nolte	Parkinson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 047

Anders	Atkins	Barnes	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Holsman
Hughes	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Webb	Webber			

PRESENT: 001

Lichtenegger

ABSENT WITH LEAVE: 016

Cookson	Cox	Day	Funderburk	Guernsey
Hinson	Hubbard	Lauer	McGhee	McNary
Phillips	Redmon	Sater	Swearingen	Talboy
Walton Gray				

Representative Smith (150) declared the bill passed.

HCS HB 1869, relating to elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1869** was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Aull	Bahr	Barnes
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Meadows
Molendorp	Nance	Nolte	Parkinson	Pollock
Quinn	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 037

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Holsman	Hughes	Hummel
Jones 63	Kirkton	Kratky	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Taylor	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 020

Bernskoetter	Cookson	Cox	Day	Dieckhaus
Fuhr	Funderburk	Hinson	Hoskins	Hubbard
Lauer	McNary	Neth	Phillips	Redmon
Reiboldt	Sater	Talboy	Walton Gray	Wright

Representative Smith (150) declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 088

Allen	Bahr	Barnes	Black	Brandom
Brattin	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Kander	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Leara	Lichtenegger	Loehner	McCaherty
McGhee	Meadows	Molendorp	Nolte	Parkinson
Pollock	Quinn	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Wallingford	Webber	Wells	Weter
Wright	Wyatt	Zerr		

NOES: 053

Anders	Asbury	Atkins	Aull	Berry
Brown 50	Brown 85	Carlson	Colona	Ellinger
Ellington	Hampton	Holsman	Hughes	Hummel
Jones 63	Jones 117	Kelly 24	Kirkton	Kratky
Lampe	Lasater	Leach	Long	Marshall
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Richardson	Rizzo	Schieber	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Taylor
Torpey	White	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 022

Bernskoetter	Carter	Cox	Day	Denison
Dieckhaus	Diehl	Fuhr	Funderburk	Hinson
Hubbard	Lauer	May	McNary	Neth
Phillips	Redmon	Sater	Talboy	Walton Gray
Webb	Mr Speaker			

HCS HB 1865, relating to economic development incentives, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCS HB 1865** was read the third time and passed by the following vote:

AYES: 095

Anders	Aull	Bahr	Barnes	Berry
Black	Brandom	Brattin	Brown 85	Burlison
Casey	Cierpiot	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Denison
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Franz	Frederick	Gosen	Guernsey
Haefner	Harris	Higdon	Hodges	Holsman
Hughes	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Lair	Lampe	Lant	Leach	Leara
Loehner	Marshall	McCaherty	McCreery	McDonald
McNeil	Meadows	Montecillo	Nance	Nichols
Oxford	Pace	Parkinson	Pierson	Quinn
Reiboldt	Richardson	Riddle	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Thomson	Torpey	Webber	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 043

Asbury	Atkins	Brown 50	Brown 116	Carlson
Cauthorn	Colona	Dugger	Ellington	Entlicher
Flanigan	Fraker	Franklin	Gatschenberger	Hampton
Hoskins	Hough	Houghton	Hummel	Jones 63
Klippenstein	Korman	Kratky	Largent	Lichtenegger
McCann Beatty	McGeoghegan	McManus	Molendorp	Morgan
Nasheed	Newman	Pollock	Rizzo	Rowland
Schupp	Sommer	Swearingen	Swinger	Taylor
Wallingford	Wells	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 025

Allen	Bernskoetter	Carter	Cox	Day
Dieckhaus	Fuhr	Funderburk	Grisamore	Hinson
Hubbard	Lasater	Lauer	Long	May
McGhee	McNary	Neth	Nolte	Phillips
Redmon	Sater	Talboy	Walton Gray	Webb

Representative Smith (150) declared the bill passed.

HCS HB 1254, relating to agriculture, was taken up by Representative Klippenstein.

Representative Keeney assumed the Chair.

On motion of Representative Klippenstein, **HCS HB 1254** was read the third time and passed by the following vote:

AYES: 123

Anders	Asbury	Aull	Bahr	Barnes
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McGeoghegan	McGhee	McManus	Molendorp	Montecillo
Nance	Neth	Nichols	Nolte	Parkinson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 017

Atkins	Carlson	Ellinger	Kirkton	Marshall
McCann Beatty	McCreery	McDonald	McNeil	Morgan
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 023

Allen	Bernskoetter	Berry	Carter	Cox
Day	Funderburk	Grisamore	Hinson	Hubbard
Hughes	Lauer	Leach	McNary	Meadows
Nasheed	Phillips	Redmon	Sater	Scharnhorst
Talboy	Walton Gray	Webb		

Representative Keeney declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SB 568, as amended, relating to motor vehicle operation, was taken up by Representative Franz.

Representative Franz moved that the House refuse to recede from its position on **HCS SB 568, as amended**, and grant the Senate a conference.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 690**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 755**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 671**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 813**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 557**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1970**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 485**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 636**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 789**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 729**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SB 781**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 667**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **SCS SB 837**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HR 1880**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE RESOLUTION NO. 1880

WHEREAS, more than a century ago, hunters, anglers, and trappers were among the first conservationists who realized America's natural resources were in peril and could not sustain unregulated harvest and habitat destruction; and

WHEREAS, hunters, anglers, and trappers took it upon themselves to support laws that stopped excessive harvest of fish and wildlife, established game and fish agencies to protect fish, wildlife, and their habitat, and support special fishing and hunting license fees to help fund the new agencies' efforts to provide for healthy natural resources for future generations; and

WHEREAS, upon realizing that license fees alone were insufficient to restore and sustain healthy fish and wildlife populations, hunters, anglers, and trappers supported excise taxes on firearms, ammunition, archery equipment, hunting equipment, and fishing equipment to raise additional funds to support restoration and enhancement efforts of the state agencies; and

WHEREAS, these efforts became known as the "Wildlife and Sport Fish Restoration Program" that began 75 years ago with the passage of the Federal Aid in Wildlife Restoration Act in 1937, and then was bolstered with the passage of the Federal Aid in Wildlife Restoration Act in 1950, further expanded with the Wallop-Breaux amendment to the Sport Fish Restoration Act in 1984; and

WHEREAS, these federal efforts supplemented conservation efforts made by the citizens of Missouri with the adoption of Article IV, Sections 40 to 42 of the Missouri Constitution in 1936, which created the Missouri Department of Conservation; and

WHEREAS, the combined contribution of the Wildlife and Sport Fish Restoration Programs to state fish and wildlife agencies exceeds \$13 billion since 1939, the first year money was distributed to the states - more than any other single conservation effort in American history; and

WHEREAS, industry has collected the excise taxes on firearms, ammunition, archery equipment, manufactured fishing tackle, electric trolling motors, marine electronics, and motorboat fuel, and provided these funds to the states through the United States Fish and Wildlife Service; and

WHEREAS, industry has supported the Wildlife and Sport Fish Restoration Programs and continues to exhibit a spirit of cooperation with the state fish and wildlife agencies; and

WHEREAS, this cooperative partnership between industry, hunters, anglers, trappers, boaters, recreational shooters, the United States Fish and Wildlife Service and state natural resource agencies has resulted in most successful model of fish and wildlife management in the world, restoring populations from coast to coast, Alaska and Hawaii:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby recognizes America's hunters, anglers, trappers, boaters, recreational shooters, industry, state fish and wildlife agencies, and the United States Fish and Wildlife Service for their leading role in restoring healthy populations of fish, wildlife, and other natural resources, both game and non-game, to the abundance we see today; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Missouri Department of Conservation, each member of the Missouri Congressional delegation, and local, regional, and national media sources so that people may know and

appreciate the foresight and contributions from anglers, hunters, trappers, recreational shooters, industry, state fish and wildlife agencies, and the United States Wildlife Service on behalf of our nation's natural resources.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SS SCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 714**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 959**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 959

WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775, which issued a proclamation setting aside a time for prayer in forming a new nation; and

WHEREAS, in 1863, Abraham Lincoln called for a day of prayer, and Franklin Roosevelt declared a national day of prayer on D-Day, June 6, 1944, the day the Allied powers crossed the English Channel and landed on the beaches of Normandy, France, beginning the liberation of Western Europe from Nazi control during World War II; and

WHEREAS, in 1952, by joint act of Congress and signed into law by Harry S. Truman, the "National Day of Prayer" was officially established as an annual event calling upon each President of the United States to set aside an appropriate day for national prayer; and

WHEREAS, on May 5, 1988, President Ronald Reagan signed a bill which passed unanimously in Congress making the first Thursday of every May the National Day of Prayer; and

WHEREAS, the National Day of Prayer is an opportunity to acknowledge our dependence on God, to give thanks for blessings received, and to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, the governors of all fifty states have signed proclamations encouraging all Americans to pray on the National Day of Prayer:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, Second Regular Session, hereby recognize May 3, 2012, as the "National Day of Prayer" and encourages all citizens of the State of Missouri to join in this recognition and observance of prayer for the welfare of this state.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1213**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1357**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1526**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1585**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1846**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1971**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1988**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 455**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 467**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 480**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 480**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 498**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 566**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 578**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 10** - Urban Issues
- HCR 55** - International Trade and Job Creation

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 48** - Tourism and Natural Resources
- HJR 51** - Tourism and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1031** - Ways and Means
- HB 1091** - Economic Development
- HB 1092** - Ways and Means
- HB 1320** - Elections
- HB 1448** - Economic Development
- HB 1567** - Professional Registration and Licensing
- HB 1586** - Local Government
- HB 1635** - Transportation
- HB 1706** - Crime Prevention and Public Safety
- HB 1757** - Crime Prevention and Public Safety
- HB 1770** - Professional Registration and Licensing
- HB 1781** - Elections
- HB 1783** - Health Care Policy
- HB 1785** - Transportation
- HB 1786** - Transportation
- HB 1787** - Crime Prevention and Public Safety
- HB 1806** - Insurance Policy
- HB 1808** - Transportation
- HB 1816** - Health Insurance
- HB 1823** - Economic Development
- HB 1873** - Financial Institutions
- HB 1884** - Insurance Policy
- HB 1908** - Tourism and Natural Resources
- HB 1921** - Local Government
- HB 1948** - Professional Registration and Licensing
- HB 1979** - Transportation
- HB 1982** - Tax Reform
- HB 1992** - Crime Prevention and Public Safety
- HB 2047** - Elections

HB 2053 - Elementary and Secondary Education
HB 2056 - Health Insurance
HB 2064 - Special Standing Committee on Governmental Affairs
HB 2065 - Special Standing Committee on Governmental Affairs
HB 2067 - Agri-Business
HB 2069 - Professional Registration and Licensing
HB 2071 - Veterans
HB 2072 - Ways and Means
HB 2073 - Financial Institutions
HB 2074 - Health Care Policy
HB 2077 - Transportation
HB 2080 - Ways and Means
HB 2089 - Small Business
HB 2091 - Financial Institutions
HB 2094 - Professional Registration and Licensing
HB 2108 - Judiciary

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 455 - Fiscal Review
SS SCS SB 448 - Children and Families
SCS SB 510 - Special Standing Committee on Governmental Affairs
SS SCS SB 576 - Elementary and Secondary Education
SS SCS SB 677 - Elementary and Secondary Education
SS SCS SB 682 - Professional Registration and Licensing
SB 739 - Judiciary
SCS SB 758 - Children and Families

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 625**, entitled:

An act to repeal sections 104.603, 104.1084, and 104.1091, RSMo, and to enact in lieu thereof three new sections relating to retirement.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 803**, entitled:

An act to repeal sections 337.300, 337.305, 337.310, 337.315, 337.325, and 337.345, RSMo, and to enact in lieu thereof six new sections relating to behavior analysis.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 854**, entitled:

An act to repeal section 660.315, RSMo, and to enact in lieu thereof one new section relating to the employment disqualification list for home care employees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 893**, entitled:

An act to repeal sections 302.010, 302.060, and 302.309, RSMo, and to enact in lieu thereof three new sections relating to completing a criminal history check as part of the process for issuing or reinstating driving privileges.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Redmon.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, April 30, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued discussion of DSS policies and procedures

DOWNSIZING STATE GOVERNMENT

Tuesday, May 1, 2012, Upon Morning Adjournment South Gallery.

Executive session will be held: HCR 57, HB 2106

Executive session may be held on any matter referred to the committee.

CORRECTED

HEALTH CARE POLICY

Wednesday, May 2, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1933, HB 1405, SS SB 742

Executive session may be held on any matter referred to the committee.

Meal provided by Jerry Burch on behalf of the Missouri Hospital Association

HEALTH INSURANCE

Tuesday, May 1, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: SS SB 749

Executive session may be held on any matter referred to the committee.

SS SB 749 continuation of hearing from April 24, 2012

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 30, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: SCS SB 856

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, May 1, 2012, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Executive session on previously referred bills.

URBAN ISSUES

Monday, April 30, 2012, Upon Evening Adjournment House Hearing Room 5.

Executive session will be held: HCS#2 HB 1344

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 30, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: SB 911

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FOURTH DAY, MONDAY, APRIL 30, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
- 4 HCS HB 1049 - Allen
- 5 HCS HB 1210, as amended - Gatschenberger
- 6 HCS HB 1795 - Ruzicka
- 7 HCS HB 1803 - Korman
- 8 HCS HB 1966 - Burlison
- 9 HCS HB 1328 - Cox
- 10 HB 1779 - Flanigan
- 11 HCS HB 1794 - Grisamore
- 12 HCS HB 1854 - Grisamore
- 13 HCS HB 1754 - Cox
- 14 HCS HB 1815 - Pollock
- 15 HB 1842 - Lant
- 16 HCS HB 1900 - Redmon

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- 17 HCS HB 1922 - Molendorp
- 18 HCS HB 1935 - Franz
- 19 HB 2063 - Denison
- 20 HCS HB 2100 - Denison
- 21 HCS HB 1709 - Hough
- 22 HCS HB 1710 - Hough
- 23 HCS HBs 1076 & 1302 - Wyatt
- 24 HCS HB 1245 - Lauer
- 25 HCS#2 HB 1358 - Gatschenberger
- 26 HCS HB 1397 - Gatschenberger
- 27 HCS HBs 1542 & 1101 - Koenig
- 28 HCS#2 HB 1213 - Franklin
- 29 HB 1357 - Gatschenberger
- 30 HCS HB 1526 - Dieckhaus
- 31 HCS HB 1846 - Long

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS HB 1988 - Brandom

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee
- 5 HCS#2 HB 1475 - Cross
- 6 HB 1455 - Gatschenberger

SENATE BILLS FOR SECOND READING

- 1 SCS SB 625
- 2 SS SCS SB 803
- 3 SS SB 854
- 4 SB 893

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 569 - Dugger
- 2 SB 611 - Stream
- 3 SS SCS SB 719, E.C. - Brown (116)
- 4 HCS SCS SB 562, E.C. - Thomson
- 5 HCS SB 455, (Fiscal Review 4/26/12) - Thomson

- 6 HCS SS SCS SB 467, E.C. - Cox
- 7 HCS SCS SB 498, E.C. - Shumake
- 8 SCS SB 566 - Jones (117)
- 9 HCS SB 578 - Cox

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HB 1106, as amended - Dugger
- 2 SS HCS HB 2001 - Silvey
- 3 SS SCS HCS HB 2002 - Silvey
- 4 SS SCS HCS HB 2003 - Silvey
- 5 SS SCS HCS HB 2004 - Silvey
- 6 SS SCS HCS HB 2005 - Silvey
- 7 SS SCS HCS HB 2006, as amended - Silvey
- 8 SS SCS HCS HB 2007 - Silvey
- 9 SS SCS HCS HB 2008 - Silvey
- 10 SS SCS HCS HB 2009 - Silvey
- 11 SS SCS HCS HB 2010 - Silvey
- 12 SS SCS HCS HB 2011, as amended - Silvey
- 13 SS SCS HCS HB 2012 - Silvey
- 14 SS SCS HCS HB 2013 - Silvey

BILLS IN CONFERENCE

HCS SB 568, as amended, E.C. - Franz

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE RESOLUTIONS

- 1 HR 1365 - Bahr
- 2 HR 959 - Jones (89)

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

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Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-FOURTH DAY, MONDAY, APRIL 30, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

Through the prophet, Isaiah, the LORD stated, *"For I am God, and there is no other; I am God, and there is no one like Me, declaring the end from the beginning, and from ancient times things which have not been done, saying, My purpose will be established, and I will accomplish all My good pleasure...Truly I have spoken; truly I will bring it to pass. I have planned it, surely I will do it."* (Isaiah 46:9-10, 11b)

Father, I give thanks this afternoon for Your mercies, abounding lovingkindness and grace. Your Word teaches us to do justice, love mercy, and to walk humbly with You. Please give each one of us the wisdom to know what is just and how to show mercy. Please give each one of us a heart that is desirous to do what is just and to show mercy.

I also pray, O Lord, for these You have ordained to lead the state of Missouri. May they govern in a way which glorifies You. May they seek that which is righteous and may they defend it with honor. In their discourses may they speak with respect for all.

I pray too, O Lord, for my fellow citizens of this great state. I pray that we will learn what it means to respect and honor those You have appointed to lead. Too many times, we have prayed for these leaders out of one side of our mouth and then spoken words of scorn, hatred and dishonor from the other. Instead, Lord, even if we disagree on issues, may we always show the honor due to these servants of Yours.

I pray that we will render unto Caesar that which is due; may we render unto You that which belongs to You.

May we fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good, and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ella Margerette Schneider.

The Journal of the sixty-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2645 through House Resolution No. 2710

SECOND READING OF SENATE BILLS

SCS SB 625, SS SCS SB 803, SS SB 854 and SB 893 were read the second time.

THIRD READING OF HOUSE BILL

HCS#2 HB 1475, relating to tanning devices, was taken up by Representative Cross.

On motion of Representative Cross, **HCS#2 HB 1475** was read the third time and passed by the following vote:

AYES: 091

Allen	Anders	Atkins	Barnes	Brandom
Brown 116	Colona	Conway 27	Cross	Denison
Diehl	Ellinger	Ellington	Elmer	Fisher
Fraker	Frederick	Gatschenberger	Gosen	Grisamore
Hampton	Higdon	Hinson	Hodges	Holsman
Hough	Houghton	Hubbard	Hummel	Jones 63
Jones 89	Jones 117	Kander	Kelly 24	Kirkton
Korman	Kratky	Lampe	Lant	Lasater
Lauer	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Molendorp	Montecillo	Morgan	Nance
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Schatz	Schieffer
Schneider	Schupp	Shively	Shumake	Silvey
Smith 71	Still	Stream	Swearingen	Swinger
Talboy	Torpey	Wallingford	Walton Gray	Webber
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 056

Asbury	Bahr	Black	Brattin	Brown 85
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Curtman
Davis	Day	Dieckhaus	Fallert	Fitzwater
Flanigan	Franklin	Fuhr	Guernsey	Haefner
Harris	Hoskins	Johnson	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Largent	Leach
Lichtenegger	Loehner	Marshall	Meadows	Neth
Parkinson	Pollock	Ruzicka	Schad	Scharnhorst
Schieber	Schoeller	Smith 150	Solon	Sommer
Spreng	Taylor	Thomson	Webb	Wells
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 016

Aull	Bernskoetter	Berry	Brown 50	Carter
Dugger	Entlicher	Franz	Funderburk	Hughes
Leara	McNary	Nasheed	Nolte	Sater
Sifton				

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley assumed the Chair.

HOUSE BILL WITH SENATE AMENDMENTS

SS HCS HB 2001, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SS HCS HB 2001** was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

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ABSENT WITH LEAVE: 013

Aull	Bernskoetter	Brown 50	Carter	Funderburk
Hughes	Leara	McNary	Nasheed	Nolte
Sater	Sifton	Smith 71		

On motion of Representative Silvey, **SS HCS HB 2001** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Aull	Bernskoetter	Brown 50	Brown 116	Carlson
Carter	Cox	Day	Funderburk	Hughes
Leara	Long	McNary	Nasheed	Nolte
Sater	Sifton			

Speaker Tilley declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 568, as amended**: Senators Parson, Stouffer, Richard, McKenna and Wright-Jones.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 568: Representatives Franz, Silvey, Brown (116), Webber and Meadows

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 2002, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2002** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2003, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2003** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2004, relating to appropriations, was taken up by Representative Silvey.

Representative Smith (150) assumed the Chair.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2004** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2005, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2005** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2006, as amended, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2006, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2007, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2007** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2008, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2008** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2009, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2009** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2010, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2010** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2011, as amended, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2011, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2012, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2012** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2013, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2013** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL

HCS HB 1198, relating to prevailing wages, was taken up by Representative Fisher.

Representative Fisher offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1198, Pages 2-3, Section 290.220, Lines 1-8, by deleting all of said section from the bill; and

Further amend said bill, Page 3, Section B, Lines 1-5, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fraker offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1198, Page 2, Section 290.210, Line 23, by inserting an opening bracket “[” after the word “performed” on said line; and

Further amend said bill, section, and page, Line 41, by deleting all of said line and inserting in lieu thereof the following:

“costs is not less than the rate of pay plus the other amounts as provided herein]. **The prevailing hourly rate of wages for all counties except for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth**

classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county shall be deemed:

(a) The median hourly wage estimate for the construction and extraction occupational code most closely resembling the occupational title as published in the latest United States Bureau of Labor Statistics by Metropolitan and Non-Metropolitan Area Occupational Employment Wage Estimate; or

(b) If no such rate can be determined under paragraph (a) of this subdivision, the median hourly wage estimate for occupational code 47-0000 in the construction and extraction occupational code, published in the latest United States Bureau of Labor Statistics publication shall be the prevailing wage for such occupational title;” and

Further amend said bill, Section 290.220, Pages 2-3, Lines 1-8, by deleting all of said section from the bill; and

Further amend said section, Page 3, Line 8, by inserting after all of said section and line the following:

“290.262. 1. (1)(a) Except as otherwise provided in section 290.260, for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, the department shall annually investigate and determine the prevailing hourly rate of wages in each locality for each separate occupational title.

(b) A final determination applicable to every locality to be contained in an annual wage order shall be made annually on or before July first of each year and shall remain in effect until superseded by a new annual wage order or as otherwise provided in this section.

(c) In determining prevailing rates, for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, the department shall ascertain and consider the applicable wage rates established by collective bargaining agreements, if any, the applicable wage rates paid by members of a trade organization designated with a 501(c)(6) tax exempt status by the United States Internal Revenue Service, and the rates that are paid generally within [the locality] any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with

more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, and shall, by March tenth of each year, make an initial determination for each occupational title within the locality[.];

(d) For the purposes of this chapter, the wage rates paid by members of a trade organization may be submitted by such trade organization and shall be considered in the aggregate. Any subsequent challenge to the wage rate as determined by the department based upon such data shall not require any member of such trade organization to appear or participate in any administrative action related thereto;

(2) (a) Except as otherwise provided in section 290.260, the prevailing hourly rate of wages for all other counties shall be deemed:

a. The median hourly wage estimate for the construction and extraction occupational code most closely resembling the occupational title as published in the latest United States Bureau of Labor Statistics by Metropolitan and Non-Metropolitan Area Occupational Employment Wage Estimate; or

b. If no such rate can be determined under subparagraph a. of this paragraph (a) of subdivision (2), the median hourly wage estimate for occupational code 47-0000 in the construction and extraction occupational code, published in the latest United States Bureau of Labor Statistics publication shall be the prevailing wage for such occupational title;

(b) A final determination applicable to every locality to be contained in an annual wage order shall be made annually on or before July first of each year and shall remain in effect until superseded by a new annual wage order or as otherwise provided in this section;

(c) In determining prevailing rates, the department shall consider the applicable wage rates that are paid generally within the locality, and shall, by March tenth of each year, make an initial determination for each occupational title within the locality;

2. A certified copy of the initial determinations so made shall be filed immediately with the secretary of state and with the department in Jefferson City. Copies shall be supplied by the department to all persons requesting them within ten days after the filing.

3. At any time within thirty days after the certified copies of the determinations have been filed with the secretary of state and the department, any person who is affected thereby may object in writing to a determination or a part thereof that he deems objectionable by filing a written notice with the department, stating the specific grounds of the objection. If no objection is filed, the determination is final after thirty days.

4. After the receipt of the objection, the department shall set a date for a hearing on the objection. The date for the hearing shall be within sixty days of the receipt of the objection. Written notice of the time and place of the hearing shall be given to the objectors at least ten days prior to the date set for the hearing.

5. The department at its discretion may hear each written objection separately or consolidate for hearing any two or more written objections. At the hearing the department shall first introduce in evidence the investigation it instituted and the other facts which were considered at the time of the original determination which formed the basis for its determination. The department, or the objector, or any interested party, thereafter may introduce any evidence that is material to the issues.

6. Within twenty days of the conclusion of the hearing, the department shall rule on the written objection and make the final determination that it believes the evidence warrants. Immediately, the department shall file a certified copy of its final determination with the secretary of state and with the department and shall serve a copy of the final determination on all parties to the proceedings by personal service or by registered mail.

7. This final decision of the department of the prevailing wages in the locality for each occupational title is subject to review in accordance with the provisions of chapter 536. Any person affected, whether or not the person participated in the proceedings resulting in the final determination, may have the decision of the department reviewed. The filing of the final determination with the secretary of state shall be considered a service of the final determination on persons not participating in the administrative proceedings resulting in the final determination.

8. At any time before trial any person affected by the final determination of the department may intervene in the proceedings to review under chapter 536 and be made a party to the proceedings.

9. Any annual wage order made for a particular occupational title in a locality may be altered once each year, as provided in this subsection. The prevailing wage for each such occupational title may be adjusted on the anniversary date of any collective bargaining agreement which covers all persons in that particular occupational title in the locality in accordance with any annual incremental wage increases set in the collective bargaining agreement. If the prevailing wage for an occupational title is adjusted pursuant to this subsection, the employee's representative or employer in regard to such collective bargaining agreement shall notify the department of this adjustment, including the effective date of the adjustment. The adjusted prevailing wage shall be in effect until the next final annual wage order is issued pursuant to this section. The wage rates for any particular job, contracted and commenced within sixty days of the contract date, which were set as a result of the annual or revised wage order, shall remain in effect for the duration of that particular job.

10. In addition to all other reporting requirements of sections 290.210 to 290.340, each public body which is awarding a contract for a public works project shall, prior to beginning of any work on such public works project, notify the department, on a form prescribed by the department, of the scope of the work to be done, the various types of craftsmen who will be needed on the project, and the date work will commence on the project.”; and

Further amend said bill, Section B, Page 3, Lines 1-5, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel offered House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill No. 1198, Page 5, Line 32, by inserting after all of said line the following:

“Further amend said bill, Page 1, Section 290.210, Line 1, by inserting after the section number “**290.210.**” the number “**1.**”; and

Further amend said bill and section, Page 2, Line 51, by inserting after all of said line the following:

“2. Nothing in this section shall be interpreted to define maintenance to be in anyway broader in scope than the definition of ‘maintenance’ or more narrow than the definition of ‘construction’ than those used for interpreting the federal Davis-Bacon Act in 40 U.S. C. § *et seq.*”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk

Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 009

Aull	Carter	Cox	Hughes	McNary
Nolte	Schneider	Schoeller	Sifton	

Representative Hummel moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner

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Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Carter	Day	Hughes	McGhee
McNary	Nolte	Schneider	Schoeller	Sifton

On motion of Representative Fraker, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

HCS HB 1198, as amended, was laid over.

THIRD READING OF SENATE BILL

HCS SCS SB 569, relating to elections, was taken up by Representative Dugger.

Representative Keeney assumed the Chair.

Representative Lant offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 3, Section 78.090, Line 23, by inserting after all of said line the following:

"79.070. No person shall be an alderman unless he or she is at least [twenty-one] **eighteen** years of age, a citizen of the United States, and an inhabitant and resident of the city for one year next preceding his or her election, and

a resident, at the time he or she files and during the time he or she serves, of the ward from which he or she is elected."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lant, **House Amendment No. 1** was adopted.

Representative Torpey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 3, Section 78.090, Line 23, by inserting after said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the

Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

- (h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;
- (i) The street address of the development site;
- (j) The three-digit North American Industry Classification System number or numbers characterizing the development project;
- (k) The estimated development project costs;
- (l) The anticipated sources of funds to pay such development project costs;
- (m) Evidence of the commitments to finance such development project costs;
- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
- (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
- (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
- (ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
- (ff) A list of competing businesses in the county containing the development area and in each contiguous county;
- (gg) A market study for the development area;
- (hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 2** was adopted.

Representative Smith (150) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 1, Section A, Line 4, by inserting after all of said line the following:

"26.016. In the case of any vacancy for any cause in the office of lieutenant governor, the governor shall appoint an acting lieutenant governor to fill such vacancy for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the lieutenant governor under section 105.031. In cases of impeachment as provided in chapter 106, the lieutenant governor shall be suspended until the impeachment is determined. If the lieutenant governor is acquitted, the lieutenant governor shall be reinstated to office and the acting lieutenant governor shall be relieved of the duties of the office. If the lieutenant governor is convicted, the vacancy shall be filled in the same manner as provided in this section.

27.015. In the case of any vacancy for any cause in the office of attorney general, the governor shall appoint an acting attorney general to fill such vacancy for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the attorney general under section 105.031. The acting attorney general shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the attorney general shall be suspended until the impeachment is determined. If the attorney general is acquitted, the attorney general shall be reinstated to office and the acting attorney general shall be relieved of the duties of the office. If the attorney general is convicted, the vacancy shall be filled in the same manner as provided in this section.

28.190. In case of death, resignation, removal from office, impeachment, or vacancy from any cause in the office of secretary of state, the governor shall immediately appoint [a qualified person] an acting secretary of state to fill such vacancy for the remainder of the term in which such vacancy occurred [and] until [his] a successor is elected [or appointed, commissioned] and qualified; and the governor shall take charge of the office and superintend its business until such person is appointed, commissioned and qualified; except that in case of impeachment the governor shall appoint a qualified person to serve only until such impeachment is determined, when the suspended officer, if acquitted, shall be reinstated in office, or if the suspended officer is convicted, a new appointment shall be made by the governor as in the case of other vacancies] at the next election scheduled for the secretary of state under section 105.031. In cases of impeachment as provided in chapter 106, the secretary of state shall be suspended until the impeachment is determined. If the secretary of state is acquitted, the secretary of state shall be reinstated to office and the acting secretary of state shall be relieved of the duties of the office. If the secretary of state is convicted, the vacancy shall be filled in the same manner as provided in this section.

29.280. When a vacancy occurs in the office of state auditor, the governor shall immediately appoint an acting auditor to fill such vacancy for the residue of the term in which the vacancy occurred[, and] until [his] a successor is elected [or appointed, commissioned] and qualified at the next election scheduled for the state auditor under section 105.031. The acting auditor shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the auditor shall be suspended until the impeachment is determined. If the auditor is acquitted, the auditor shall be reinstated to office and the acting auditor shall be relieved of the duties of the office. If the auditor is convicted, the vacancy shall be filled in the same manner as provided in this section.

30.060. In case of death, resignation, removal from office, impeachment, or vacancy from any cause[,] in the office of the state treasurer, the governor shall appoint an acting state treasurer to fill such vacancy for the remainder of the term in which such vacancy occurred until a successor is elected and qualified at the next election scheduled for the state treasurer under section 105.031. The acting state treasurer shall take charge of such office and superintend the business thereof until a successor is [appointed, commissioned] elected and qualified [except]. In case of impeachment, [when no appointment shall be made until a determination of the matter is had, when, in the event of an acquittal, the suspended officer shall be reinstated in office] the state treasurer shall be suspended until the impeachment is determined. If the state treasurer is acquitted, the state treasurer shall be reinstated to office and the acting state treasurer shall be relieved of the duties of the office. If the treasurer is convicted, the vacancy shall be filled in the same manner as provided in this section.

30.080. Immediately after the appointment or election and qualification of a state treasurer, made to fill any vacancy occurring in said office, or the resumption of [his] duties by said officer, after the removal of any disability or temporary suspension therefrom the general assembly if in session, or, if such assembly be not in session, then the governor, shall cause a settlement to be made of the accounts of the former state treasurer, or any such office ad interim, remaining unsettled, and ascertain what balance, if any, is due the state or such officer, as the case may be.”; and

Further amend said bill, Page 3, Section 78.090, Line 23, by inserting after all of said line the following:

“105.030. 1. Whenever any vacancy, caused in any manner or by any means whatsoever, occurs or exists in any state or county office originally filled by election of the people, other than in the offices of lieutenant governor, attorney general, secretary of state, state auditor, state treasurer, state senator or representative, sheriff, or recorder of deeds in the city of St. Louis, the vacancy shall only be filled by appointment by the governor except that when a vacancy occurs in the office of county assessor after a general election at which a person other than the incumbent has been elected, the person so elected shall be appointed to fill the remainder of the unexpired term; and the person

appointed after duly qualifying and entering upon the discharge of [his] the duties under the appointment shall continue in office until the first Monday in January next following the first ensuing general election, at which general election a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term, as the case may be, and the person so elected shall enter upon the discharge of the duties of the office the first Monday in January next following his election, except that when the term to be filled begins on any day other than the first Monday in January, the appointee of the governor shall be entitled to hold the office until such other date. This section shall not apply to vacancies in county offices in any county which has adopted a charter for its own government under section 18, article VI of the constitution. Any vacancy in the office of recorder of deeds in the city of St. Louis shall be filled by appointment by the mayor of that city.

2. Any vacancy occurring in the offices of lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer shall be filled by the appointment of an acting lieutenant governor, acting attorney general, acting secretary of state, acting state auditor, or acting state treasurer by the governor, or by a special election called for such purpose under section 105.031. No person appointed by the governor under this subsection shall be eligible to be a candidate for such office to which such person was appointed under this subsection at the election to fill such office immediately following such person's appointment, but may be a candidate for such office after one intervening election has been held.

105.031. In the case of a vacancy for cause in the offices of senator of the United States from this state, lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer, such vacancy shall be filled by a special election called by the governor at the same time as the general election when there is a general election scheduled before the expiration of the term of such offices as required by section 17, article IV, Constitution of Missouri, or Amendment XVII of the Constitution of the United States. If there is no general election scheduled prior to the expiration of the term of such offices, then the acting official appointed by the governor shall serve out the remainder of the full term in office. The candidate elected and qualified at a special election held on the general election day shall take office on January first immediately following such election, and shall relieve any acting official filling such vacancy of the duties of the office.

105.040. Whenever a vacancy in the office of senator of the United States from this state exists, the governor [, unless otherwise provided by law,] shall appoint [a person to fill such vacancy, who shall continue in office until a successor shall have been duly elected and qualified according to law] **an acting senator of the United States to fill the vacancy for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election under section 105.031.**

105.050. If any vacancy shall happen from any cause in the office of the [attorney general,] circuit attorney, prosecuting attorney or assistant prosecuting attorney, the governor, upon being satisfied that such vacancy exists, shall appoint some competent person to fill the same until the next regular election for [attorney general,] prosecuting attorney or assistant prosecuting attorney, as the case may be; provided, in the case of a vacancy in the office of prosecuting attorney, if there is no qualified person in the county who can or will accept such appointment, then the governor may appoint any person who possesses all the qualifications set forth in section 56.010, RSMo, except the qualification as to residence.”; and

Further amend said bill, Page 8, Section 115.761, Line 31, by inserting after all of said line the following:

“[30.070. When a vacancy occurs in the office of state treasurer, the governor shall immediately appoint a state treasurer to fill such vacancy for the residue of the term in which the vacancy occurred, and until his successor is elected or appointed, commissioned and qualified.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 3** was adopted.

Representative Talboy offered **House Amendment No. 4.**

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Section 54.330, Page 2, Line 16, by inserting the following after all of said line:

“67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

- (1) Later establishment or cessation of any park or recreation system provided by law; or**
- (2) Any powers and responsibilities of any park or recreation system provided by state law.**

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

- (1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;**
- (2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;**
- (3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;**
- (4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;**
- (5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;**
- (6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;**
- (7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;**
- (8) Establish and collect reasonable charges for the use of the facilities of the district;**
- (9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and**
- (10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.**

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of , state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to County and the cities within the County for local park improvements?

☐ YES

☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name

of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for

the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state,

but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 4** was adopted.

Representative Entlicher offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 4, Section 115.123, Line 24, by inserting after all of said section and line the following:

- “115.315. 1. Sections 115.315 to 115.327 shall be known and may be cited as the "Fair Ballot Access Act".
2. Any group of persons desiring to form a new political party throughout the state, or for any congressional district, state senate district, state representative district or circuit judge district, shall file a petition with the secretary of state. Any group of persons desiring to form a new party for any county shall file a petition with the election authority of the county.
3. Each page or a sheet attached to each page of each petition for the formation of a new political party shall:
- (1) Declare concisely the intention to form a new political party in the state, district or county;
 - (2) State in not more than five words the name of the proposed party;

(3) [If presidential electors are to be nominated by petition, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled, and the name of their candidate for president and the name of their candidate for vice president shall be printed on each page or a sheet attached to each page of the petition. The names of the candidates for president and vice president may be added to the party name, but the names of the candidates for president and vice president shall not be printed on the official ballot without the written consent of such persons. Their written consent shall accompany and be deemed part of the petition;

(4) Give a complete list of the names and addresses, including the street and number, of the chairman and treasurer of the party.

4. When submitted for filing, each petition shall contain the names and addresses of two people, not candidates, to serve as provisional chairman and treasurer for the party in the event the party becomes a new political party.

5. If the new party is to be formed for the entire state, which shall include being formed for all districts and counties in which the party has nominations so listed on its certified list of candidates required pursuant to section 115.327, then this statewide petition shall be signed by at least ten thousand registered voters of the state obtained at large.

6. If the new party is to be formed for any district or county, but not by the statewide method set out in subsection 5 of this section, then the petition shall be signed by the number of registered voters in the district or county which is equal to at least two percent of the total number of voters who voted at the last election for candidates for the office being sought or is equal to ten thousand voters, whichever is less.

115.327. When submitted for filing, each petition for the nomination of an independent candidate or for the formation of a new political party shall be accompanied by a declaration of candidacy for each candidate to be nominated by the petition or by the party, respectively. The party's duly authorized chairman and treasurer shall also submit a certified complete list of the names and addresses of all their candidates and the office for which each seeks. The party shall nominate its candidates in the manner prescribed in the party's bylaws. **If presidential electors are to be nominated, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled.** Each declaration of candidacy for the office of presidential elector shall be in the form provided in section 115.399. Each declaration of candidacy for an office other than presidential elector shall state the candidate's full name, residence address, office for which he proposes to be a candidate, the party, if any, upon whose ticket he is to be a candidate and that if nominated and elected he will qualify. Each such declaration shall be in substantially the following form:

I,, a resident and registered voter of the precinct of the town of or the precinct of the ward of the city of, or the precinct of township of the county of and the state of Missouri, do announce myself a candidate for the office of on the ticket, to be voted for at the general (special) election to be held on the day of, 20..., and I further declare that if nominated and elected I will qualify.

.....	Subscribed and sworn to
Signature of candidate	before me this
	day of, 20....

.....
Residence address	Signature of election
	official or officer
	authorized to administer
	oaths

Each such declaration shall be subscribed and sworn to by the candidate before the election official accepting the candidate's petition, a notary public or other officer authorized by law to administer oaths.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Entlicher, **House Amendment No. 5** was adopted.

Representative Franklin offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 2, Section 54.330, Line 16, by inserting after all of said section and line:

“67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Board", the board of directors of a district;
- (3) "District", a law enforcement district organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**;
- (4) **"Registered voter", any voter registered within the boundaries of the district or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification [without a charter form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a] **and each** registered voter [resident] within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section**, each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898] **67.1894** the district shall have the following general powers:

- (1) To contract with the [local] **county** sheriff's department for the provision of services;
- (2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;
- (3) To fix compensation of its employees and contractors;
- (4) To purchase any personal property necessary or convenient for its activities;
- (5) To collect and disburse funds for its activities; and
- (6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. [The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the

signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board] **Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question.”; and**

Further amend said bill, Section 115.761, Page 8, Line 31, by inserting after all of said line the following:

“[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the

petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.]

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES ☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.]

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the Law Enforcement District to adopt property taxes be terminated?

☐ YES ☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES ☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 6** was adopted.

Representative Lasater offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 4, Section 115.123, Line 24, by inserting after all of said section and line, the following:

"115.305. **Except as provided in sections 115.348 and 115.350**, this subchapter shall not apply to candidates for special district offices, township offices in township organization counties, or city, town and village offices; provided that, cities of the fourth class, except those in a county of the first class with a charter form of government and which adjoins a city not within a county, may elect, only by ordinance, to hold primary elections in accordance with the provisions of sections 115.305 to 115.405 or in accordance with the provisions of sections 78.470, 78.480 and 78.510, and the ordinance shall state which of these provisions of law are being adopted."; and

Further amend said bill, Page 5, Section 115.342, Line 30, by inserting after all of said section and line, the following:

“115.348. No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony or misdemeanor under the federal laws of the United States of America. **Notwithstanding the provisions of subdivision (22) of section 115.013 to the contrary, this section shall apply to any person seeking to qualify as a candidate for an elected office in cities of the fourth classification.**

115.350. No person shall qualify as a candidate for elective public office in the state of Missouri who has been convicted of or found guilty of or pled guilty to a felony under the laws of this state. **Notwithstanding the provisions of subdivision (22) of section 115.013 to the contrary, this section shall apply to any person seeking to qualify as a candidate for an elected office in cities of the fourth classification.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lasater, **House Amendment No. 7** was adopted.

Representative Entlicher offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 3, Section 78.090, Line 23, by inserting after all of said section and line the following:

“115.091. On commissioning or before entering upon his duties, each election judge shall take and subscribe the following oath:

I solemnly swear that I will **support and defend the Constitution of the United States and of this state, that I will** impartially discharge the duties of judge according to law[,] to the best of my ability, and that I will not disclose how any voter has voted unless I am required to do so as a witness in a proper judicial proceeding. I also affirm that I will not allow any person to vote who is not entitled to vote and that I will make no statement nor give any information of any kind tending in any way to show the state of the count prior to the close of the polls on election day.

Sworn and subscribed to before me thisday of,
20... Judge of Election
Election Authority (Judge of Election) witnessing oath”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Entlicher, **House Amendment No. 8** was adopted.

On motion of Representative Dugger, **HCS SCS SB 569, as amended**, was adopted.

On motion of Representative Dugger, **HCS SCS SB 569, as amended**, was read the third time and passed by the following vote:

AYES: 109

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Lair	Lant	Largent

Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGhee
McManus	Meadows	Molendorp	Nance	Nasheed
Neth	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 040

Atkins	Brattin	Brown 85	Colona	Ellinger
Ellington	Fuhr	Harris	Holsman	Hummel
Jones 63	Kirkton	Koenig	Kratky	Lampe
Marshall	May	McCann Beatty	McCreery	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieber
Schieffer	Schupp	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 014

Aull	Carlson	Carter	Elmer	Gatschenberger
Haefner	Hinson	Hughes	McNary	Nolte
Parkinson	Schneider	Schoeller	Sifton	

Representative Keeney declared the bill passed.

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 2038**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SCS SB 711**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SS SB 727**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 628**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SB 911**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1042**, entitled:

An act to repeal sections 173.005, 173.040, 173.606, 173.608, 173.612, 173.614, 173.616, and 173.618, RSMo, and to enact in lieu thereof eight new sections relating to duties prescribed to the coordinating board for higher education, with a penalty provision.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1042, Page 1, Section Title, Line 4, by striking the following:

"duties prescribed to the coordinating board for"; and

Further amend said bill, Page 14, Section 173.618, Line 11, by inserting immediately after said line the following:

"174.332. 1. Notwithstanding the provisions of section 174.050 to the contrary, the board of regents of Northwest Missouri State University shall be composed of nine members, eight of whom shall be voting members and one who shall be a nonvoting member. Not more than four voting members shall belong to any one political party. **Not more than two voting members shall be residents of the same county.** The appointed members of the board serving on August 28, 2008, shall continue to serve until the expiration of the terms for which the appointed members were appointed and until such time a successor is duly appointed.

2. The board of regents shall be appointed as follows:

(1) Six voting members shall be residents of the university's historic statutory service region, as described in section 174.010 and modified by section 174.250, provided at least one member shall be a resident of Nodaway County;

(2) Two voting members shall be residents of a county in the state that is outside the university's historic statutory service region, as described in section 174.010 and modified by section 174.250, provided these two members shall not be appointed from the same congressional district; and

(3) One nonvoting member shall be a full-time student of the university, a United States citizen, and a resident of Missouri.

3. A majority of the voting members of the board shall constitute a quorum for the transaction of business; however, no appropriation of money nor any contract that shall require any appropriation or disbursement of money shall be made, nor teacher employed or dismissed, unless a majority of the voting members of the board vote for the same.

4. Except as specifically provided in this section, the appointments and terms of office for the voting and nonvoting members of the board, and all other duties and responsibilities of the board, shall comply with the provisions of state law regarding boards of regents.

174.450. 1. Except as provided in subsection 2 and subsection 6 of this section, the governing board of **the University of Central Missouri [State University]**, Missouri State University, Missouri Southern State University, Missouri Western State University, and of each other public institution of higher education which, through the procedures established in subdivision (7) or (8) of section 173.030, is charged with a statewide mission shall be a board of governors consisting of eight members, composed of seven voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party. The appointed members of the board of regents serving on the date of the statutory mission change shall become members of the board of governors on the effective date of the statutory mission change and serve until the expiration of the terms for which they were appointed. The board of regents of any such institution shall be abolished on the effective date of the statutory mission change, as prescribed in subdivision (7) or (8) of section 173.030.

2. The governing board of Missouri State University, a public institution of higher education charged with a statewide mission in public affairs, shall be a board of governors of ten members, composed of nine voting members and one nonvoting member, who shall be appointed by the governor, by and with the advice and consent of the senate. The nonvoting member shall be a student selected in the same manner as prescribed in section 174.055. At least one but no more than two voting members shall be appointed to the board from each congressional district, and every member of the board shall be a citizen of the United States, and a resident of this state for at least two years prior to his or her appointment. No more than five voting members shall belong to any one political party. The term of office of the governors shall be six years, **except as provided in this subsection**. [The voting members of the board of governors serving on August 28, 2005, shall serve until the expiration of the terms for which they were appointed. For those voting members appointed after August 28, 2005, the term of office will be established in a manner where no more than three terms shall expire in a given year.] The term of office for those appointed hereafter shall end January first in years ending in an odd number. **For the six voting members' terms that expired in 2011, the successors shall be appointed in the following manner:**

- (1) Of the five voting members' terms that expired on August 28, 2011, one successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2013;**
- (2) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to terms that shall expire on January 1, 2015;**
- (3) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to a term that shall expire on January 1, 2017; and**
- (4) For the voting member's term that expired on January 1, 2011, the successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2017.**

Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.

3. If a voting member of the board of governors of Missouri State University is found by unanimous vote of the other governors to have moved such governor's residence from the district from which such governor was appointed, then the office of such governor shall be forfeited and considered vacant.

4. Should the total number of Missouri congressional districts be altered, all members of the board of governors of Missouri State University shall be allowed to serve the remainder of the term for which they were appointed.

5. Should the boundaries of any congressional districts be altered in a manner that displaces a member of the board of governors of Missouri State University from the congressional district from which the member was appointed, the member shall be allowed to serve the remainder of the term for which the member was appointed.

6. The governing board of Missouri Southern State University shall be a board of governors consisting of nine members, composed of eight voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1112**, entitled:

An act to repeal sections 376.010, 376.015, and 376.307, RSMo, and to enact in lieu thereof three new sections relating to life, health, and accident insurance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1179**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1188**, entitled:

An act to amend chapter 167, RSMo, by adding thereto one new section relating to the administration of asthma related rescue medication by school nurses.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 1188, Page 1, Section 167.635, Line 2, by striking the word "for" as it appears the second time.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1495**, entitled:

An act to repeal section 375.993, RSMo, and to enact in lieu thereof one new section relating to fraudulent insurance acts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1525**, entitled:

An act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof eight new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1680**.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

April 27, 2012

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 2014** entitled:

“AN ACT”

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2012.

On April 27, 2012 I approved said **House Committee Substitute for House Bill No. 2014**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, May 1, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued discussion of DSS policies and procedures

CHILDREN AND FAMILIES

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 758, SS SCS SB 448, HB 1907, HR 1391, HCR 54

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Tuesday, May 1, 2012, Upon Morning Adjournment South Gallery.

Executive session will be held: HCR 57, HB 2106

Executive session may be held on any matter referred to the committee.

CORRECTED

ELECTIONS

Tuesday, May 1, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1870, HB 2047, HB 1781

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: SS SCS SB 576

Executive session will be held: SS SCS SB 576

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, May 1, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 1977

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, May 1, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HJR 64, HB 1891, HB 2092

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, May 2, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1933, HB 1405, SS SB 742, HB 1078

Executive session may be held on any matter referred to the committee.

Meal provided by Jerry Burch on behalf of the Missouri Hospital Association

AMENDED

HEALTH INSURANCE

Tuesday, May 1, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: SS SB 749

Executive session may be held on any matter referred to the committee.

SS SB 749 continuation of hearing from April 24, 2012

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, May 2, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HCR 55

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, May 2, 2012, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.

Public hearing will be held: SB 739, HB 1514, HB 2107

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 7.

Executive session will be held: SCS SB 692

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Tuesday, May 1, 2012, Upon Afternoon Adjournment House Hearing Room 6.

Executive session will be held: HR 1880, HB 1690, HB 1728, HB 1790, HCS HB 1970, SS SCR 16, SCS SCR 17, SCR 25, HCS SS SCS SB 470, SCS SB 566, HCS SS SCS SB 469, HCS SS SCS SB 595, HCS SCS SB 591, HCS SB 620, HCS SB 628, HCS SCS SB 635, HCS SB 636, SS SB 665, HCS SCS SB 726, SS SCS SB 689, SCS SB 837

Executive session may be held on any or all bills which have been referred to this committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS

Tuesday, May 1, 2012, Upon Afternoon Adjournment House Hearing Room 7.

Public hearing will be held: SCS SB 510, HB 2064

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Tuesday, May 1, 2012, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Executive session on previously referred bills.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, May 1, 2012, 12:00 PM House Hearing Room 3.

Public hearing will be held: HB 1850, HB 1924

Executive session may be held on any matter referred to the committee.

AMENDED

TRANSPORTATION

Tuesday, May 1, 2012, Upon Morning Adjournment House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, May 1, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.

Public hearing will be held: SS SB 769

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, May 1, 2012, 12:00 PM or Upon Recess House Hearing Room 1.

Public hearing will be held: SCS SBs 484, 477 & 606

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FIFTH DAY, TUESDAY, MAY 1, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
- 4 HCS HB 1049 - Allen
- 5 HCS HB 1210, as amended - Gatschenberger
- 6 HCS HB 1795 - Ruzicka
- 7 HCS HB 1803 - Korman
- 8 HCS HB 1966 - Burlison
- 9 HCS HB 1328 - Cox
- 10 HB 1779 - Flanigan
- 11 HCS HB 1794 - Grisamore
- 12 HCS HB 1854 - Grisamore
- 13 HCS HB 1754 - Cox
- 14 HCS HB 1815 - Pollock
- 15 HB 1842 - Lant
- 16 HCS HB 1900 - Redmon
- 17 HCS HB 1922 - Molendorp
- 18 HCS HB 1935 - Franz
- 19 HB 2063 - Denison
- 20 HCS HB 2100 - Denison
- 21 HCS HB 1709 - Hough
- 22 HCS HB 1710 - Hough
- 23 HCS HB 1076 & 1302 - Wyatt
- 24 HCS HB 1245 - Lauer
- 25 HCS#2 HB 1358 - Gatschenberger
- 26 HCS HB 1397 - Gatschenberger
- 27 HCS HBs 1542 & 1101 - Koenig
- 28 HCS#2 HB 1213 - Franklin
- 29 HB 1357 - Gatschenberger
- 30 HCS HB 1526 - Dieckhaus
- 31 HCS HB 1846 - Long
- 32 HCS HB 1585 - Cross

- 33 HCS HB 1639 - Nolte
- 34 HCS HB 1971 - Schneider

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS HB 1988 - Brandom

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee
- 5 HB 1455 - Gatschenberger

SENATE BILLS FOR THIRD READING

- 1 SB 611 - Stream
- 2 SS SCS SB 719, E.C. - Brown (116)
- 3 HCS SCS SB 562, E.C. - Thomson
- 4 HCS SB 455, (Fiscal Review 4/26/12) - Thomson
- 5 HCS SS SCS SB 467, E.C. - Cox
- 6 HCS SCS SB 498, E.C. - Shumake
- 7 SCS SB 566 - Jones (117)
- 8 HCS SB 578 - Cox

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HB 1106, as amended - Dugger
- 2 HB 1188, SCA 1 - Allen

BILLS CARRYING REQUEST MESSAGES

- 1 SS SCS HCS HB 2002, (request Senate recede/grant conference) - Silvey
- 2 SS SCS HCS HB 2003, (request Senate recede/grant conference) - Silvey
- 3 SS SCS HCS HB 2004, (request Senate recede/grant conference) - Silvey
- 4 SS SCS HCS HB 2005, (request Senate recede/grant conference) - Silvey
- 5 SS SCS HCS HB 2006, as amended, (request Senate recede/grant conference) - Silvey
- 6 SS SCS HCS HB 2007, (request Senate recede/grant conference) - Silvey
- 7 SS SCS HCS HB 2008, (request Senate recede/grant conference) - Silvey
- 8 SS SCS HCS HB 2009, (request Senate recede/grant conference) - Silvey
- 9 SS SCS HCS HB 2010, (request Senate recede/grant conference) - Silvey
- 10 SS SCS HCS HB 2011, as amended, (request Senate recede/grant conference) - Silvey

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11 SS SCS HCS HB 2012, (request Senate recede/grant conference) - Silvey

12 SS SCS HCS HB 2013, (request Senate recede/grant conference) - Silvey

BILLS IN CONFERENCE

HCS SB 568, as amended, E.C. - Franz

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE RESOLUTIONS

1 HR 1365 - Bahr

2 HR 959 - Jones (89)

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-FIFTH DAY, TUESDAY, MAY 1, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

"Fear not", saith the Lord, "for I am with you." (Isaiah 43:5)

O Lord, we give You thanks for the rest of the day and for the gift of a new day with its opportunities of serving You and our fellow Missourians, and leading our state into right and good paths.

By the might of Your presence in our hearts help us to master the spirit of pride and prejudice which separates people and causes them to strive against each other. Lead us and our citizens into the paths of mutual helpfulness and mutual concern, that in all good will and as free people we may live together in peace.

Guide us into the ways of justice and truth and establish peace which is the fruit of righteousness.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-fourth day was approved as printed.

SPECIAL RECOGNITION

Ray Brock, Liberty, Missouri, was introduced by Representative Neth and recognized as an Outstanding Missourian.

PERFECTION OF HOUSE BILL

HCS HB 1049, relating to bullying in schools, was taken up by Representative Allen.

Representative Scharnhorst offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1049, Page 1, Section A, Line 2, by inserting after all of said line the following:

"135.1220. 1. As used in this section, the following terms mean:

- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;**
- (2) "Department", the department of elementary and secondary education;**

- (3) "Director", the director of the department of elementary and secondary education;
 - (4) "Educational scholarships", grants to students to cover all or part of the tuition and fees at either a qualified nonpublic school or a qualified public school, including transportation;
 - (5) "Eligible student", any elementary or secondary student who attended public school in Missouri the preceding semester whose parent has executed an affidavit to be filed with the scholarship application that his or her child has been bullied, as bullying is defined in section 160.775, RSMo;
 - (6) "Parent", includes a guardian, custodian, or other person with authority to act on behalf of the child;
 - (7) "Program", the program established in this section;
 - (8) "Qualified school", either an accredited public elementary or secondary school outside of the district in which a student resides or an accredited nonpublic elementary or secondary school in Missouri that complies with all of the requirements of the program and complies with all state laws that apply to nonpublic schools regarding criminal background checks for employees and excludes from employment any person not permitted by state law to work in a nonpublic school;
 - (9) "Scholarship granting organization", a charitable organization which is exempt from federal income tax that complies with the requirements of this program and provides education scholarships to students attending qualified schools of their parents' choice, and that does not accept contributions on behalf of any eligible student from any taxpayer with any obligation to provide any support for the eligible student;
 - (10) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer under chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under chapter 143, excluding sections 143.191 to 143.265 and related provisions;
 - (11) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state under chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.
2. For all tax years beginning on or after January 1, 2012, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to eighty percent of the amount such taxpayer contributed to a scholarship granting organization. No taxpayer shall be issued more than eight hundred thousand dollars in tax credits authorized under this section per tax year.
 3. The amount of the tax credit claimed shall not exceed fifty percent of a taxpayer's state tax liability for the taxable year for which the credit is claimed. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.
 4. The director shall determine, at least annually, which organizations in this state may be classified as scholarship granting organizations. The director may require of an organization seeking to be classified as a scholarship granting organization whatever information which is reasonably necessary to make such a determination. The director shall classify an organization as a scholarship granting organization if such organization meets the definition set forth in this section.
 5. The director shall establish a procedure by which a taxpayer can determine if an organization has been classified as a scholarship granting organization. Scholarship granting organizations shall be permitted to decline a contribution from a taxpayer.
 6. Each scholarship granting organization shall provide information to the director concerning the identity of each taxpayer making a contribution to the scholarship granting organization who is claiming a tax credit under this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.
 7. Once a scholarship granting organization has decided to provide a student with a scholarship, it shall promptly notify the director. The director shall keep a running tally of the number of scholarships granted in the order in which they were reported. Once the tally reaches the annual limit of eligible students, the director shall notify all of the participating scholarship granting organizations that they may not issue any more scholarships and any more receipts for contributions. If the scholarship granting organizations have not

expended all of their available scholarship funds in that year at the time when the limit is reached, the available scholarship funds may be carried over into the next year. These unexpended funds shall not be counted as part of the requirement in subdivision (3) of subsection 9 of this section for that year. Any receipt for a scholarship contribution issued by a scholarship granting organization before the director has publicly announced the student limit has been reached shall be valid for a taxpayer claiming a credit.

8. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

9. Each scholarship granting organization participating in the program shall:

(1) Notify the department of its intent to provide educational scholarships to students attending qualified schools;

(2) Provide a department-approved receipt to taxpayers for contributions made to the organization;

(3) Ensure that at least ninety percent of its revenue from donations is spent on educational scholarships, and that all revenue from interest or investments is spent on educational scholarships;

(4) Distribute periodic scholarship payments as checks made out to a student's parent and mailed to the qualified school where the student is enrolled. The parent or guardian shall endorse the check before it can be deposited;

(5) Cooperate with the department to conduct criminal background checks on all of its employees and board members and exclude from employment or governance any individual who might reasonably pose a risk to the appropriate use of contributed funds;

(6) Ensure that scholarships are portable during the school year and can be used at any qualified school that accepts the eligible student according to a parent's wishes. If a student moves to a new qualified school during a school year, the scholarship amount may be prorated;

(7) Demonstrate its financial accountability by:

(a) Submitting a financial information report for the organization that complies with uniform financial accounting standards established by the department and conducted by a certified public accountant; and

(b) Having the auditor certify that the report is free of material misstatements;

(8) Demonstrate its financial viability, if the organization is to receive donations of fifty thousand dollars or more during the school year, by filing with the department prior to the start of the school year:

(a) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(b) Financial information that demonstrates the financial viability of the scholarship granting organization.

10. Each scholarship granting organization shall ensure that each participating school that accepts its scholarship students shall:

(1) Comply with all health and safety laws or codes that apply to nonpublic schools;

(2) Hold a valid occupancy permit if required by its municipality;

(3) Certify that it will comply with 42 U.S.C. Section 1981, as amended; and

(4) Provide academic accountability to parents of the students in the program by regularly reporting to the parent on the student's progress.

11. Scholarship granting organizations shall not provide educational scholarships for students to attend any school with paid staff or board members who are relatives within the first degree of consanguinity or affinity.

12. A scholarship granting organization shall publicly report to the department, by June first of each year, the following information prepared by a certified public accountant regarding its grants in the previous calendar year:

(1) The name and address of the scholarship granting organization;

(2) The total number and total dollar amount of contributions received during the previous calendar year; and

(3) The total number and total dollar amount of educational scholarships awarded during the previous calendar year, and the total number and total dollar amount of educational scholarships awarded during the previous year to students eligible for free and reduced lunch.

13. The department shall adopt rules and regulations consistent with this section as necessary to implement the program.

14. The department shall provide a standardized format for a receipt to be issued by a scholarship granting organization to a taxpayer to indicate the value of a contribution received. The department shall require a taxpayer to provide a copy of this receipt when claiming the Missouri special needs scholarship tax credit.

15. The department shall provide a standardized format for scholarship granting organizations to report the information in this section.

16. The department may conduct either a financial review or audit of a scholarship granting organization.

17. If the department believes that a scholarship granting organization has intentionally and substantially failed to comply with the requirements of this section, the department may hold a hearing before the director, or his or her designee, to bar a scholarship granting organization from participating in the program. The director, or his or her designee, shall issue a decision within thirty days. A scholarship granting organization may appeal the director's decision to the administrative hearing commission for a hearing in accordance with the provisions of chapter 621.

18. If the scholarship granting organization is barred from participating in the program, the department shall notify affected scholarship students and their parents of this decision within fifteen days.

19. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

20. The department shall conduct a study of the program with funds other than state funds. The department may contract with one or more qualified researchers who have previous experience evaluating similar programs. The department may accept grants to assist in funding this study.

21. The study shall assess:

- (1) The level of participating students' satisfaction with the program;
- (2) The level of parental satisfaction with the program;
- (3) The percentage of participating students who were bullied or harassed at their qualified school;
- (4) The percentage of participating students who exhibited behavioral problems at their resident school district compared to the percentage exhibiting behavioral problems at their qualified school;
- (5) The class size experienced by participating students at their resident school district and at their qualified school; and
- (6) The fiscal impact to the state and resident school districts of the program.

22. The study shall be completed using appropriate analytical and behavioral sciences methodologies to ensure public confidence in the study.

23. The department shall provide the general assembly with a final copy of the evaluation of the program by December 31, 2015.

24. The public and nonpublic participating schools from which students transfer to participate in the program shall cooperate with the research effort by providing student assessment instrument scores and any other data necessary to complete this study.

25. The general assembly may require periodic updates on the status of the study from the department. The individuals completing the study shall make their data and methodology available for public review while complying with the requirements of the Family Educational Rights and Privacy Act, as amended.

26. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall sunset automatically on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall sunset automatically on December thirty-first twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 010

Funderburk	Hughes	McGhee	Nasheed	Schad
Schneider	Schoeller	Sifton	Taylor	Webber

Representative Scharnhorst moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 025

Bahr	Barnes	Bernskoetter	Brown 50	Burlison
Cookson	Cox	Curtman	Dieckhaus	Fitzwater
Gatschenberger	Gosen	Houghton	Hubbard	Jones 89
Koenig	Leach	McNary	Neth	Parkinson
Riddle	Scharnhorst	Schatz	Stream	Mr Speaker

NOES: 127

Allen	Anders	Asbury	Atkins	Aull
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schieber	Schieffer	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 011

Funderburk	Hughes	McGhee	Nasheed	Nolte
Schad	Schneider	Schoeller	Sifton	Taylor
Webber				

Representative Weter offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1049, Page 1, Section 160.775, Line 12, by inserting after the word “students” the words “, **without exception**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl assumed the Chair.

Speaker Tilley resumed the Chair.

Representative Lampe offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

Representative Lampe offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1049, Page 1, Section 160.775, Lines 12-13, by deleting all of said lines and inserting in lieu thereof the following:

“need a safe learning environment. [Policies shall treat students equally and shall not contain specific lists of protected classes of students who are to receive special treatment.] **Bullying that is reasonably perceived as being motivated by actual or perceived race, color, religion, ancestry, national origin, gender, sexual orientation and gender identity, intellectual ability, physical appearance, or a mental, physical or sensory disability or disorder, or on the basis of association with others identified by these categories is prohibited.** Policies may”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Franz assumed the Chair.

Representative Scharnhorst offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Committee Substitute for House Bill No. 1049, Page 1, Lines 6-9, by deleting all of said lines and inserting in lieu thereof the following:

‘ **“Bullying that is reasonably perceived as being motivated by any reason identified by a local school board is prohibited.** Policies may”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kander raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** is in the third degree.

Representative Franz requested a parliamentary ruling.

The point of order was withdrawn.

HCS HB 1049, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2, House Substitute Amendment No. 1 for House Amendment No. 2 and House Amendment No. 2, pending, was laid over.

HCS HB 1803, relating to certified school social workers, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1803** was adopted.

On motion of Representative Korman, **HCS HB 1803** was ordered perfected and printed.

HCS HB 1900, relating to executive branch reorganizations, was taken up by Representative Redmon.

Representative Jones (63) offered **House Amendment No. 1**.

Representative Hinson raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Franz requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Higdon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1900, Page 41, Section 302.171, Line 106, by inserting after all of said line the following:

“311.240. 1. On approval of the application and payment of the license tax provided in this chapter, the supervisor of [liquor] **alcohol and tobacco** control shall grant the applicant a license to conduct business in the state for a term to expire with the thirtieth day of June next succeeding the date of such license. A separate license shall be required for each place of business. Of the license tax to be paid for any such license, the applicant shall pay as many twelfths as there are months (part of a month counted as a month) remaining from the date of the license to the next succeeding July first.

2. No such license shall be effective, and no right granted thereby shall be exercised by the licensee, unless and until the licensee shall have obtained and securely affixed to the license in the space provided therefor an original stamp or other form of receipt issued by the duly authorized representative of the federal government, evidencing the payment by the licensee to the federal government of whatever excise or occupational tax is by any law of the United States then in effect required to be paid by a dealer engaged in the occupation designated in said license. Within ten days from the issuance of said federal stamp or receipt, the licensee shall file with the supervisor of [liquor] **alcohol and tobacco** control a photostat copy thereof, or such duplicate or indented and numbered stub therefrom as the federal government may have issued to the taxpayer with the original.

3. Every license issued under the provisions of this chapter shall particularly describe the premises at which intoxicating liquor may be sold thereunder, and such license shall not be deemed to authorize or permit the sale of intoxicating liquor at any place other than that described therein.

4. **In addition to any fees collected for licenses issued for more than a thirty-day period under this chapter, an applicant for a new or renewal license shall pay to the director of revenue an additional transaction fee of one hundred dollars at the same time and in the same manner as its other license fees. The transaction fees imposed by this subsection are not subject to section 311.220.**

5. The moneys derived from the transaction fees imposed by subsection 4 of this section shall be deposited into the alcohol and tobacco control trust fund established in section 311.735.

6. Applications for renewal of licenses must be filed on or before the first day of May of each calendar year.

[5.] 7. In case of failure to submit the completed renewal application required under subsection [4] 6 of this section on or before the first day of May, there shall be added to the amount of the renewal fee a late charge of one hundred dollars from the second day of May to the last day of May; a late charge of two hundred dollars if the renewal application is submitted on the first day of June to the last day of June; or a late charge of three hundred dollars if the renewal application is submitted after the last day of June.”; and

Further amend said bill and page, Section 311.650, Line 3, by inserting after all of said line the following:

“311.730. 1. All license fees and charges for the privilege of selling spiritous liquors and wines, and the inspection and gauging fees on malt liquor collected by the director of revenue as provided for in this chapter[, including licenses, inspection and gauging fees,] shall be paid into the state treasury, to the credit of the ordinary state revenue fund.

2. All transaction fees and miscellaneous fees collected by the director of revenue as provided in this chapter shall be paid into the state treasury to the credit of the alcohol and tobacco control trust fund established in section 311.735.

311.735. 1. There is established in the state treasury a special trust fund to be known as the "Alcohol and Tobacco Control Trust Fund". The state treasurer shall credit to and deposit in the fund all amounts received under chapters 311 and 407.

2. The state treasurer shall invest moneys in the alcohol and tobacco control trust fund in the same manner as surplus state funds are invested under section 30.260. All earnings resulting from the investments of moneys in the fund shall be credited to the fund.

3. Funds appropriated by the general assembly from the fund shall be used only for purposes authorized under this section.

4. Appropriation of funds by the general assembly from the fund shall be used to support the division of alcohol and tobacco control for the administration and regulation of the liquor control and tobacco under chapter 311 and sections 407.920 to 407.934.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 2** was adopted.

Representative Higdon offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1900, Page 33, Section 209.251, Line 39, by inserting after all of said line the following:

“210.1014. 1. There is hereby created the "Amber Alert System Oversight Committee", whose primary duty shall be to develop criteria and procedures for the Amber alert system and shall be housed within the department of public safety. The committee shall regularly review the function of the Amber alert system and revise its criteria and procedures in cooperation with the department of public safety to provide for efficient and effective public notification. As soon as practicable, the committee shall adopt criteria and procedures to expand the Amber alert system to provide urgent public alerts related to homeland security, criminal acts, health emergencies, and other imminent dangers to the public health and welfare.

2. The committee shall, prior to January 1, 2013, adopt the criteria and procedures necessary to expand the Amber alert system to provide peace officer safety alerts for the location and identification of any person who has assaulted or otherwise injured a licensed peace officer and who has fled the scene.

3. The Amber alert system oversight committee shall consist of ten members of which seven members shall be appointed by the governor with the advice and consent of the senate. Such members shall represent the following entities: two representatives of the Missouri Sheriffs' Association; two representatives of the Missouri Police Chiefs

Association; one representative of small market radio broadcasters; one representative of large market radio broadcasters; one representative of television broadcasters. The director of the department of public safety shall also be a member of the committee and shall serve as chair of the committee. Additional members shall include one representative of the highway patrol and one representative of the department of health and senior services.

[3.] **4.** Members of the oversight committee shall serve a term of four years, except that members first appointed to the committee shall have staggered terms of two, three, and four years and shall serve until their successor is duly appointed and qualified.

[4.] **5.** Members of the oversight committee shall serve without compensation, except that members shall be reimbursed for their actual and necessary expenses required for the discharge of their duties.

[5.] **6.** The Amber alert system oversight committee shall promulgate rules for the implementation of the Amber alert system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 3** was adopted.

Representative Pollock offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1900, Page 38, Section 301.020, Line 87, by inserting after all of said section and line the following:

“301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 4** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McNary	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo

Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 017

Conway 27	Hughes	McCaherty	McGhee	Molendorp
Nasheed	Nolte	Schad	Scharnhorst	Schneider
Schoeller	Sifton	Taylor	Torpey	Webber
Zerr	Mr Speaker			

On motion of Representative Redmon, **HCS HB 1900, as amended**, was adopted.

On motion of Representative Redmon, **HCS HB 1900, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL

SB 611, relating to yellow light change interval times, was taken up by Representative Stream.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said line the following:

“304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, **or a stationary vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation displaying lighted amber or amber and white lights**, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

- (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;
 - (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;
 - (5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;
 - (6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;
 - (7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;
 - (8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550;
 - (9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.**
5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.
- (2) The driver of an emergency vehicle may:
- (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;
 - (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - (c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;
 - (d) Disregard regulations governing direction of movement or turning in specified directions.
- (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.
6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.
7. Violation of this section shall be deemed a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Smith (150) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Bill No. 611, Page 1, Title, Line 2, by deleting the word “the” on said line; and

Further amend said bill, page, and title, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

“motor vehicle operation.”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of

this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet

between the extremes

of any group of two or

more consecutive axles,

measured to the nearest

foot, except where

indicated otherwise

		Maximum load in pounds			
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000

43	60,000	70,500	75,000	80,000
44	60,000	71,500	75,500	80,000
45	60,000	72,000	76,000	80,000
46	60,000	72,500	76,500	80,000
47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in [subsection] **subsections 9 and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36]. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection, shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but

shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 2** was adopted.

Representative Hough offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
(2) Establish one-way streets and provide for the regulation of vehicles thereon;
(3) Require vehicles to stop before crossing certain designated streets and boulevards;
(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.”; and

Further amend page, Section 304.289, Line 8, by inserting after all of said line the following:

“537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.

2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or

highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.

3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 3** was adopted.

Representative Silvey offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said section the following:

“301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. [Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5.] The director of revenue shall have authority to produce or allow others to produce a new temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase. The temporary permit [shall be made available by the director of revenue and] authorized under

this section may be purchased by the purchaser of a motor vehicle or trailer from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, **or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates.** The director [shall] **or a producer authorized by the director may** make temporary permits available to registered dealers in this state or authorized agents of the department of revenue [in sets of ten permits]. The [fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued] **price paid by a registered dealer or an authorized agent of the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director shall direct dealers and authorized agents to obtain temporary permits from the authorized producer. Amounts received by the director for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director shall not constitute state revenue and any amounts received by dealers or authorized agents for temporary permits purchased from a producer other than the director shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director under section 301.190.** No dealer or authorized agent shall charge more than [seven dollars and fifty cents] **five dollars** for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

[6.] **5.** The permit shall be issued on a form prescribed by the director and issued only for the applicant's [use in the] **temporary** operation of the motor vehicle or trailer purchased to enable the applicant to [legally] **temporarily** operate the vehicle while proper title and registration [plate] **plates** are being obtained, **or while awaiting receipt of registration plates**, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size [and], **material, design, reporting and tracking method to the Missouri uniform law enforcement system**, numbering configuration, construction, and color of the permit. **The director, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.**

[7.] The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit.]

6. Every dealer that issues [a] temporary [permit] **permits** shall keep, for inspection [of] by proper officers, [a correct] **an accurate** record of each permit issued by recording the permit [or plate] number, **the dealer's number**, buyer's name and address, **the vehicle's** year, make, **and** manufacturer's vehicle identification number [on which the permit is to be used], and the **permit's** date of issuance **and expiration date**.

[8.] **7.** Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of [twelve] **fifty-four** thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such

vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026.

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period.

301.559. 1. It shall be unlawful for any person to engage in business as or act as a motor vehicle dealer, boat dealer, manufacturer, boat manufacturer, public motor vehicle auction, wholesale motor vehicle auction or wholesale motor vehicle dealer without first obtaining a license from the department as required in sections 301.550 to 301.573. Any person who maintains or operates any business wherein a license is required pursuant to the provisions of sections 301.550 to 301.573, without such license, is guilty of a class A misdemeanor. Any person committing a second violation of sections 301.550 to 301.573 shall be guilty of a class D felony.

2. All dealer licenses shall expire on December thirty-first of [each year] **the designated license period**. The department shall notify each person licensed under sections 301.550 to 301.573 of the date of license expiration and the amount of the fee required for renewal. The notice shall be mailed at least ninety days before the date of license expiration to the licensee's last known business address. **The director shall have the authority to issue licenses valid for a period of up to two years and to stagger the license periods for administrative efficiency and equalization of workload, at the sole discretion of the director.**

3. Every manufacturer, boat manufacturer, motor vehicle dealer, wholesale motor vehicle dealer, wholesale motor vehicle auction, boat dealer or public motor vehicle auction shall make application to the department for issuance of a license. The application shall be on forms prescribed by the department and shall be issued under the terms and provisions of sections 301.550 to 301.573 and require all applicants, as a condition precedent to the issuance of a license, to provide such information as the department may deem necessary to determine that the applicant is bona fide and of good moral character, except that every application for a license shall contain, in addition to such information as the department may require, a statement to the following facts:

(1) The name and business address, not a post office box, of the applicant and the fictitious name, if any, under which he intends to conduct his business; and if the applicant be a partnership, the name and residence address of each partner, an indication of whether the partner is a limited or general partner and the name under which the partnership business is to be conducted. In the event that the applicant is a corporation, the application shall list the names of the principal officers of the corporation and the state in which it is incorporated. Each application shall be verified by the oath or affirmation of the applicant, if an individual, or in the event an applicant is a partnership or corporation, then by a partner or officer;

(2) Whether the application is being made for registration as a manufacturer, boat manufacturer, new motor vehicle franchise dealer, used motor vehicle dealer, wholesale motor vehicle dealer, boat dealer, wholesale motor vehicle auction or a public motor vehicle auction;

(3) When the application is for a new motor vehicle franchise dealer, the application shall be accompanied by a copy of the franchise agreement in the registered name of the dealership setting out the appointment of the applicant as a franchise holder and it shall be signed by the manufacturer, or his authorized agent, or the distributor, or his authorized agent, and shall include a description of the make of all motor vehicles covered by the franchise. The department shall not require a copy of the franchise agreement to be submitted with each renewal application unless the

applicant is now the holder of a franchise from a different manufacturer or distributor from that previously filed, or unless a new term of agreement has been entered into;

(4) When the application is for a public motor vehicle auction, that the public motor vehicle auction has met the requirements of section 301.561.

4. No insurance company, finance company, credit union, savings and loan association, bank or trust company shall be required to obtain a license from the department in order to sell any motor vehicle, trailer or vessel repossessed or purchased by the company on the basis of total destruction or theft thereof when the sale of the motor vehicle, trailer or vessel is in conformance with applicable title and registration laws of this state.

5. No person shall be issued a license to conduct a public motor vehicle auction or wholesale motor vehicle auction if such person has a violation of sections 301.550 to 301.573 or other violations of chapter 301, sections 407.511 to 407.556, or section 578.120 which resulted in a felony conviction or finding of guilt or a violation of any federal motor vehicle laws which resulted in a felony conviction or finding of guilt.

6. Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after the effective date, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 4** was adopted.

Representative Flanigan offered **House Amendment No. 5.**

House Amendment No. 5

AMEND Senate Bill No. 611, Page 1, In the Title, Line 2, by deleting the word, “the”; and

Further amend said bill, page, In the Title, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the words, “state agencies that regulate motor vehicles.”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420.**

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. [He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled;
and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

- (1) The full name and address of the person and any other names known to be used by the person;
- (2) The Social Security number or tax identification number;
- (3) The amount of the tax or nontax liability;
- (4) A statement that the debt is past due and legally enforceable in the amount certified; and
- (5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

- (1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;
- (2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;
- (3) "Department", the department of revenue;
- (4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department."

105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees,

court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against

the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.] 7. Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description

of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.] **8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

- (1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;
- (2) A decision of a court of competent jurisdiction or the administrative hearing commission; or
- (3) Changes in regulations or policy by the department of revenue.

[7.] **9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.] **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied.”; and

Further amend said bill, page, Section 304.289, Line 8, by inserting after all of said section, the following:

“Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 5** was adopted.

Representative Pollock offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Bill No. 611, Page 1, Section 304.289, Line 8, by inserting after all of said section and line the following:

“Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. **Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 6** was adopted.

Representative Long offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record **if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense**. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) **"CDLIS driver record", the electronic record of the individual commercial driver's status and history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;**

(4) **"CDLIS motor vehicle record (CDLIS MVR)", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;**

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)] (6) "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)] (7) **"Commercial driver's license downgrade", occurs when:**

(a) **A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;**

(b) **A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;**

(c) **A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or**

(d) **The state removes the commercial driver's license privilege from the driver's license;**

(8) "Commercial driver's license information system (CDLIS)", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)] (9) "Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)] (10) "Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)] (11) "Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendere, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)] (12) "Director", the director of revenue or his authorized representative;

[(10)] (13) "Disqualification", any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver's license;

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state, **Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)] (14) "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)] (15) "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)] (17) "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)] **(18)** "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)] **(19)** "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)] **(21)** "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision [(21)] **(27)** of this subsection;

[(17)] **(22)** "Fatality", the death of a person as a result of a motor vehicle accident;

[(18)] **(23)** "Felony", any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;

(24) "Foreign", outside the fifty states of the United States and the District of Columbia;

[(19)] **(25)** "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)] **(26)** "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;

[(21)] **(27)** "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)] **(28)** "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)] **(29)** "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)] (32) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;

[(25)] (33) "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;

[(26)] (34) "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)] (35) "Out-of-service order", a declaration by [the Federal Highway Administration, or any] an authorized enforcement officer of a federal, state, [Commonwealth of Puerto Rico,] Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service **under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria;**

[(28)] (36) "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)] (37) "Secretary", the Secretary of Transportation of the United States;

[(30)] (38) "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or revocation of the driver's license or noncommercial motor vehicle driving privilege:

(a) Excessive speeding, as defined by the Secretary by regulation;

(b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;

(c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;

(d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;

(e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;

[(31)] (39) "State", a state[, territory or possession] of the United States[, the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada];

[(32)] (40) "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

(1) **Nonexcepted interstate:** Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;

(2) **Excepted interstate:** Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;

(3) **Nonexcepted intrastate:** Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) **Excepted intrastate:** Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill, Section 304.289, Page 1, Line 8, by inserting after all of said section and line the following:

“Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 7** was adopted.

Representative Brattin offered **House Amendment No. 8**.

House Amendment No. 8

AMEND Senate Bill No. 611, Page 1, In the Title, Lines 2-4, by deleting the words, “the establishment of minimal yellow light change interval times for traffic control devices” and inserting in lieu thereof the word, “transportation”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

“142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed

kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or

fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry.

As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 8** was adopted.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Shively	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Brown 50	Day	Elmer	Fisher
Franklin	Holsman	Lasater	Nasheed	Neth
Quinn	Sater	Scharnhorst	Schieffer	Schoeller
Sifton	Webber			

On motion of Representative Stream, **SB 611, as amended**, was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Morgan	Nance	Nichols	Nolte
Parkinson	Phillips	Pierson	Pollock	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 016

Atkins	Ellington	Hughes	Jones 63	Kirkton
Kratky	Marshall	McCreery	McNeil	Newman
Oxford	Pace	Schupp	Smith 71	Spreng
Still				

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Elmer	Lasater	Lichtenegger	Nasheed
Neth	Quinn	Redmon	Sater	Schad
Scharnhorst	Schoeller	Sifton	Webber	

Representative Franz declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Denison	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Morgan	Nance	Nichols	Nolte	Oxford
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Talboy	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 021

Atkins	Carlson	Carter	Colona	Ellington
Hubbard	Hughes	Marshall	May	McCreery
McNeil	Newman	Pace	Schupp	Smith 71
Spreng	Still	Swearingen	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 018

Curtman	Day	Dieckhaus	Elmer	Jones 63
Kelly 24	Klippenstein	Lasater	Nasheed	Neth
Pierson	Quinn	Sater	Scharnhorst	Schoeller
Sifton	Webber	Wright		

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Diehl.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2711 through House Resolution No. 2740

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1504**, entitled:

An act to repeal sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 144.805, and 182.802, RSMo, and to enact in lieu thereof twenty-nine new sections relating to sales taxes, with an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 1 to Senate Amendment No. 5, Senate Amendment No. 5, as amended, and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1504, Page 18, Section 67.5038, Line 8, by inserting after all of said line the following:

"92.338. 1. All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by sections 92.325 to 92.340, except as modified in sections 92.325 to 92.340.

2. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 92.325 to 92.340. **Notwithstanding the provisions of this subsection, the governing body of any city that imposes a convention and tourism tax pursuant to sections 92.325 to 92.340 may pass an ordinance and seek voter approval to collect the tax from certain transient guests who are otherwise exempt under this subsection. Such proposition shall be submitted to the voters at a citywide general or primary election or at a special election called for that purpose. It shall be submitted in a form set by the governing body.**

3. **Except as provided in subsection 2 of this section,** the same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 92.325 to 92.340, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 92.325 to 92.340.

4. The person, firm or corporation subject to any tax imposed pursuant to sections 92.325 to 92.340 shall collect the tax from the transient guests and patrons of the food establishment and each such transient guest and patron of the food establishment shall pay the amount of the tax due to the person, firm or corporation required to collect the tax. The city shall permit the person required to remit the tax to deduct and retain an amount equal to two percent of the taxes collected. The city governing body may either require the license collector of the city to collect the tax imposed by sections 92.325 to 92.340 or may enter into an agreement with the director of revenue to have the director collect such tax on behalf of the city. In the event such an agreement is entered into, the director of revenue shall perform all functions incident to the collection, enforcement and operation of such tax, and the director shall collect the tax on behalf of the city and shall transfer the funds collected to the city license collector, except for an amount not less than one percent nor more than three percent, which shall be retained by the director for costs of collection. If the director of revenue is to collect such tax, the tax shall be collected and reported upon such forms and under such administrative rules

and regulations as the director may prescribe. All refunds and penalties as provided in sections 144.010 to 144.525 are hereby made applicable to violations of sections 92.325 to 92.340."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 1504, Page 2, Section 67.750, Line 29, by inserting at the end of said line the following:

"67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred;
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;
- (3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;
- (4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;
- (5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;
- (8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;
- (9) Any county of the second classification without a township form of government and a population of less than thirty thousand;
- (10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;
- (11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;
- (14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;
- (15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants; [or]

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt; **or**

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 1504, Page 18, Section 67.5038, Line 8, by inserting after all of said line the following:

"144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment.

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date

of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.] 7. Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.] 8. For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

- (1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;
- (2) A decision of a court of competent jurisdiction or the administrative hearing commission; or
- (3) Changes in regulations or policy by the department of revenue.

[7.] 9. Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.] **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Bill No. 1504, Page 18, Section 67.5038, Line 8, by inserting after all of said line the following:

"71.625. **1.** The timely payment of a license tax due to any municipal corporation in this state, or any county pursuant to section 66.300, which is delivered by United States mail to the municipality or county office designated by such municipality or county office to receive such payments, shall be deemed paid as of the postmark date stamped on the envelope or other cover in which such payment is mailed. In the event any payment of tax due is sent by registered or certified mail, the date of the registration or certification shall be deemed the postmark date. No additional tax, penalty or interest shall be imposed by any municipality or county on any taxpayer whose payment is delivered by United States mail, if the postmark date stamped on the envelope or other cover containing such payment falls within the prescribed period on or before the prescribed date, including any extension granted, for making the payment. When the last day for making any license tax payment, including extensions, falls on a Saturday, a Sunday, or a legal holiday in this state, the payment shall be considered timely if the payment is made on the next succeeding day which is not a Saturday, Sunday or legal holiday.

2. Except as otherwise provided by law, the interest provisions of section 144.170 and penalty provisions of section 144.250 relating to delinquent sales taxes shall apply to delinquent taxes due as a result of the imposition of a license tax by any municipal corporation. The limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.510."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 5

AMEND Senate Amendment No. 5 to Senate Committee Substitute for House Bill No. 1504, Page 1, Line 5, by striking the word "six" and inserting in lieu thereof the following:

"twenty-three".

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Bill No. 1504, Page 11, Section 67.5012, Line 10, by inserting at the end of said line the following:

"The question of whether to continue to impose the one-tenth of one cent local sales tax authorized under this section shall be submitted to the voters of the county every six years after the voters of that county approved the initial imposition of the tax."

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Bill No. 1504, Page 8, Section 67.1754, Line 81 of said page, by inserting after all of said line the following:

"67.2500. **1.** A theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2505 by the governing body of any county, city, town, or village that has adopted transect-based zoning under

chapter 89, any county described in this subsection, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat.

2. Sections 67.2500 to 67.2530 shall be known as the "Theater, Cultural Arts, and Entertainment District Act".

3. As used in sections 67.2500 to 67.2530, the following terms mean:

(1) "District", a theater, cultural arts, and entertainment district organized under this section;

(2) "Qualified electors", "qualified voters", or "voters", registered voters residing within the district or subdistrict, or proposed district or subdistrict, who have registered to vote pursuant to chapter 115 or, if there are no persons eligible to be registered voters residing in the district or subdistrict, proposed district or subdistrict, property owners, including corporations and other entities, that are owners of real property;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115; and

(4) "Subdistrict", a subdivision of a district, but not a separate political subdivision, created for the purposes specified in subsection 5 of section 67.2505.

67.2510. As a complete alternative to the procedure establishing a district set forth in section 67.2505, a theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2515 by a circuit court with jurisdiction over any county, city, town, or village that has adopted transect-based zoning under chapter 89, any county described in this section, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat."; and

Further amend the title and enacting clause accordingly.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2002** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2003** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2004** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2005** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2006, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2007** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2008** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2009** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2010** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2011, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2012** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2013** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SJR 51**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 25(a) and 25(d) of article V of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to nonpartisan selection of judges.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA's 1, 2, as amended, 3, 4, 6 & 8 to SB 564**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS SCS HCS HB 2002: Representatives Silvey, Stream, Hough, Lampe and Montecillo
SS SCS HCS HB 2003: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2004: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2005: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2006: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2007: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2008: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2009: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2010: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SS SCS HCS HB 2011: Representatives Silvey, Stream, Flanigan, Kelly (24) and Montecillo
SS SCS HCS HB 2012: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2013: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)

Representative Diehl resumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 1966, relating to records of activity as evidence, was taken up by Representative Burlison.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schneider	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Wallingford	Weter
Wieland	Wright	Wyatt	Zerr	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 022

Curtman	Day	Dieckhaus	Dugger	Funderburk
Jones 63	Lasater	Marshall	McGhee	McNary
Meadows	Molendorp	Schad	Schoeller	Sifton
Stream	Torpey	Webb	Webber	Wells
White	Mr Speaker			

Representative Burlison moved that **HCS HB 1966** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Allen	Bahr	Brandom	Burlison	Cookson
Crawford	Cross	Davis	Diehl	Dugger
Fisher	Fitzwater	Flanigan	Fraker	Franz
Gatschenberger	Grisamore	Guernsey	Haefner	Hoskins
Houghton	Johnson	Jones 89	Jones 117	Keeney
Koenig	Korman	Lair	Lant	Lauer
Leach	Leara	Lichtenegger	Long	Parkinson
Phillips	Reiboldt	Riddle	Ruzicka	Sater
Schatz	Schneider	Smith 150	Sommer	Stream
Thomson	Wallingford	Wright	Zerr	

NOES: 095

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 50
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cox	Denison	Ellinger	Ellington	Elmer
Entlicher	Fallert	Franklin	Frederick	Fuhr
Funderburk	Gosen	Hampton	Harris	Hinson
Hodges	Holsman	Hough	Hubbard	Hughes
Hummel	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Kratky	Lampe	Largent	Loehner
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Pierson	Pollock
Quinn	Redmon	Richardson	Rizzo	Rowland
Scharnhorst	Schieber	Schieffer	Schupp	Shively
Shumake	Silvey	Smith 71	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Wells	Weter	Wieland	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 019

Curtman	Day	Dieckhaus	Higdon	Jones 63
Lasater	Marshall	McGhee	McNary	Meadows
Molendorp	Schad	Schoeller	Sifton	Torpey
Webb	Webber	White	Mr Speaker	

HB 1966 was laid over.

HCS HB 1710, relating to the Missouri Works Training Program, was taken up by Representative Hough.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1710, Page 1, Section A, Line 6, by inserting after all of said line the following:

“67.3000. 1. As used in this section and section 67.3005, the following words shall mean:

- (1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;**
- (2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;**
- (3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;**
- (4) "Department", the Missouri department of economic development;**
- (5) "Director", the director of revenue;**
- (6) "Eligible costs", shall include:**
 - (a) Costs necessary for conducting the sporting event;**
 - (b) Costs relating to the preparations necessary for the conduct of the sporting event; and**
 - (c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.**

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
- (2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and
- (3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1710, Page 4, Section 135.800, Line 75, by inserting after all of said section and line:

“620.007. The department of economic development shall require start-up companies that apply for economic development incentives, where the incentive is provided up-front, to provide verification of financial information when an application for such incentives is submitted to the department. In complying with this section, the department shall define "start-up company".

620.009. 1. The department of economic development shall share either by electronic copy of the original source or as close as a reproduction as possible all adverse information it has about a company seeking state and local economic development incentives with all local governments, local not-for-profit economic development organizations, and economic development officials competing for the company's business.

2. Local governments, local not-for-profit economic development organizations, and economic development officials working with a company seeking state or local economic development incentives shall also share with the department of economic development all adverse information received about a company.

3. In complying with the provisions of this section, all adverse information received about a company seeking state or local economic development incentives shall be subject to the provisions of section 620.014.

4. In working with local governments, local not-for-profit economic development organizations, and economic development officials on projects, the department of economic development shall designate one or more persons as the local contact for each project. The designated contacts shall be the persons through whom all information required in this section shall be provided. Such persons shall be required to sign a nondisclosure agreement agreeing not to divulge information, including company name, acquired about an applicant for economic development incentives to the general public.

5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse information under this section.

620.019. The department of economic development shall develop a rating system to apprise local governments of the department's opinion on proposals for discretionary economic development incentives that combine local and state resources.”; and

Further amend said bill, Section 620.800, Page 6, Line 75 through Page 7, Line 83, by deleting all of said lines and inserting in lieu thereof the following:

“publicly announced its intention to file for bankruptcy protection.”; and

Further amend said bill, Page 28, Section 620.1910, Line 163, by inserting after all of said section and line the following:

“Section 1. The department of economic development shall include a conflict of interest policy in all new consulting contracts for trade offices located in foreign countries.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Solon offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1710, Page 20, Section 620.1881, Line 113, by inserting after the word, “relocation” the words, **“or quality job loss”**; and

Further amend said page and section, Line 118, by deleting the word, “seventy” and inserting in lieu thereof, **“[seventy] fifty”**; and

Further amend said page, section and line, by deleting the word, “two” and inserting in lieu thereof, **“[two] five”**; and

Further amend said section, Page 21, Line 139, by deleting the number “2013” and inserting in lieu thereof, **“[2013] 2018”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 3** was adopted.

Representative Johnson offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1710, Page 28, Section 620.1910, Line 163, by inserting after all of said section and line the following:

“620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

- (1) Pay wages that meet or exceed the county average wage;**
- (2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition;**

and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 4** was adopted.

On motion of Representative Hough, **HCS HB 1710, as amended**, was adopted.

On motion of Representative Hough, **HCS HB 1710, as amended**, was ordered perfected and printed.

RECONSIDERATIONS

Representative Higdon, having voted on the prevailing side, moved that the vote by which **HCS HB 1900, as amended**, was ordered perfected and printed, be reconsidered.

Which motion was adopted by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shively
Shumake	Smith 71	Smith 150	Solon	Sommer
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Walton Gray	Webb	Weter
Wieland	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 030

Curtman	Day	Dieckhaus	Hoskins	Hughes
Jones 63	Jones 117	Lasater	Long	Marshall
McGhee	McNary	Meadows	Molendorp	Parkinson
Phillips	Sater	Schad	Schneider	Schoeller
Sifton	Silvey	Spreng	Stream	Wallingford
Webber	Wells	White	Wright	Mr Speaker

Representative Higdon, having voted on the prevailing side, moved that the vote by which **HCS HB 1900, as amended**, was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Cierpiot	Curtman	Day	Dieckhaus	Hoskins
Hughes	Jones 63	Jones 117	Lair	Lasater
Leach	Long	Marshall	McGhee	McNary
Meadows	Molendorp	Sater	Schad	Schneider
Schoeller	Sifton	Spreng	Webber	White
Wright				

Representative Higdon, having voted on the prevailing side, moved that the vote by which **House Amendment No. 2** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shively	Shumake	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Colona	Curtman	Day	Dieckhaus	Hughes
Hummel	Jones 63	Lasater	Long	Marshall
McCreery	McGhee	McNary	Meadows	Molendorp
Sater	Schad	Schneider	Schoeller	Sifton
Smith 150	Swearingen	Webber	White	

Representative Redmon offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1900, Page 41, Section 311.650, Line 3, by inserting after all of said section and line the following:

“311.730. 1. All license fees and charges for the privilege of selling spiritous liquors and wines, and the inspection and gauging fees on malt liquor collected by the director of revenue as provided for in this chapter[, including licenses, inspection and gauging fees,] shall be paid into the state treasury, to the credit of the ordinary state revenue fund.

2. All transaction fees and miscellaneous fees collected by the director of revenue as provided in this chapter shall be paid into the state treasury to the credit of the alcohol and tobacco control trust fund established in section 311.735.

311.735. 1. There is established in the state treasury a special trust fund to be known as the "Alcohol and Tobacco Control Trust Fund". The state treasurer shall credit to and deposit in the fund all amounts received under chapters 311 and 407.

2. The state treasurer shall invest moneys in the alcohol and tobacco control trust fund in the same manner as surplus state funds are invested under section 30.260. All earnings resulting from the investments of moneys in the fund shall be credited to the fund.

3. Funds appropriated by the general assembly from the fund shall be used only for purposes authorized under this section.

4. Appropriation of funds by the general assembly from the fund shall be used to support the division of alcohol and tobacco control for the administration and regulation of the liquor control and tobacco under chapter 311 and sections 407.920 to 407.934.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Redmon, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

On motion of Representative Redmon, **HCS HB 1900, as amended**, was adopted.

On motion of Representative Redmon, **HCS HB 1900, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 1245, relating to the Missouri Quality Jobs Act, was taken up by Representative Lauer.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1245, Page 10, Line 118, by deleting the word, “seventy” and inserting in lieu thereof, “[seventy] **fifty**”; and

Further amend said page, section and line, by deleting the word, “two” and inserting in lieu thereof, “[two] **five**”; and

Further amend said page and section, Line 139, by deleting the number "2013" and inserting in lieu thereof, "[2013] **2018**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1245, Page 1, Section A, Line 2, by after all of said line inserting the following:

"67.3000. 1. As used in this section and section 67.3005, the following words shall mean:

- (1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;**
- (2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;**
- (3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;**
- (4) "Department", the Missouri department of economic development;**
- (5) "Director", the director of revenue;**
- (6) "Eligible costs", shall include:**
 - (a) Costs necessary for conducting the sporting event;**
 - (b) Costs relating to the preparations necessary for the conduct of the sporting event; and**
 - (c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.**

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association

(USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested

with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
- (2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and
- (3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1245, Page 18, Section 620.1881, Line 409, by inserting after all of said section and line the following:

“620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

(1) Pay wages that meet or exceed the county average wage;

(2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition;
and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted.

Representative Jones (117) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1245, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

“135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; [and]

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

(a) The state of Missouri over the previous twelve months; or

(b) The county or city not within a county over the previous twelve months; **and**

(5) No finding of blight under this chapter shall be used to meet the conditions for blight under any other statute of this state.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

(1) The potential to create sustainable jobs in a targeted industry; or

(2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 4** was adopted.

On motion of Representative Dugger, **HCS HB 1245, as amended**, was adopted.

On motion of Representative Dugger, **HCS HB 1245, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILLS

SS SCS SB 719, relating to boating safety identification cards, was taken up by Representative Brown (116).

Representative Brattin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, In the Title, Lines 2-3, by deleting all of said lines and inserting in lieu thereof the word, "transportation"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be

claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws

of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used

in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
 - (b) Used on land owned or leased for the purpose of producing farm products; and
 - (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;
- (23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers

bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from

patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010.”; and

Further amend said bill, Page 4, Section B, Lines 2 and 5, by inserting before the words, “section A” the following words, “the provisions relating to temporary boating safety identification cards to nonresidents in”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 1** was adopted.

Representative Hough offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, Section A, Line 2, by inserting after all of said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
(2) Establish one-way streets and provide for the regulation of vehicles thereon;
(3) Require vehicles to stop before crossing certain designated streets and boulevards;
(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.”; and

Further amend said bill, Page 4, Section 306.127, Line 105, by inserting after all of said line the following:

“537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.

2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.

3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and

Further amend said bill, Page 4, Section B, Line 2, by inserting after the word, “vessels,” the words, “the repeal and reenactment of section 306.127 of”; and

Further amend said page and section, Line 5, by inserting after the first occurrence of the word, “and” the words, “the repeal and reenactment of section 306.127 of”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, Title, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

“to transportation.”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line, the following:

“302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;
(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Except as provided in subsection 3 of this section, every person operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding subsection 2 of this section, any person twenty-one years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear when such person has obtained a helmet-free endorsement from the department of revenue. The department of revenue shall issue a helmet-free endorsement on the driver's license of any applicant who provides satisfactory proof of at least twenty-five thousand dollars in medical coverage payments insurance that is in effect for a minimum of two years.

The cost of the new driver's license issued with the helmet-free endorsement shall be paid by the motorcycle licensee.

4. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman offered House Amendment No. 1 to House Amendment No. 3.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 2, Line 22, by inserting after all of said line the following:

‘Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"302.173. 1. Any applicant for a license, who does not possess a valid license issued pursuant to the laws of this state, another state, or a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 shall be examined as herein provided. Any person who has failed to renew such person's license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the armed forces, their adult dependents or any active member of the peace corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the armed forces of the United States who held a valid license prior to being inducted may apply for a renewal license within sixty days after such person's honorable discharge without submitting to any examination of such person's ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. No applicant for a renewal license shall be required to submit to any examination of his or her ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder, other than a test of the applicant's ability to understand highway signs regulating, warning or directing traffic and the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. The examination shall be made available in each county. Reasonable notice of the time and place of the examination shall be given the applicant by the person or officer designated to conduct it. The complete examination shall include a test of the applicant's natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the traffic laws of this state, and an actual demonstration of ability to exercise due care in the operation of a motor vehicle of the classification for which the license is sought. When an applicant for a license has a license from a state which has requirements for issuance of a license comparable to the Missouri requirements or a license from a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 and such license has not expired more than six months prior to the date

of application for the Missouri license, the director may waive the test of the applicant's practical knowledge of the traffic laws of this state, and the requirement of actual demonstration of ability to exercise due care in the operation of a motor vehicle. If the director has reasonable grounds to believe that an applicant is suffering from some known physical or mental ailment which ordinarily would interfere with the applicant's fitness to operate a motor vehicle safely upon the highways, the director may require that the examination include a physical or mental examination by a licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The director shall prescribe regulations to ensure uniformity in the examinations and in the grading thereof and shall prescribe and furnish all forms to the members of the highway patrol and to other persons authorized to conduct examinations as may be necessary to enable the officer or person to properly conduct the examination. The records of the examination shall be forwarded to the director who shall not issue any license hereunder if in the director's opinion the applicant is not qualified to operate a motor vehicle safely upon the highways of this state.

2. Beginning July 1, 2005, when the examiner has reasonable grounds to believe that an individual has committed fraud or deception during the examination process, the license examiner shall immediately forward to the director all information relevant to any fraud or deception, including, but not limited to, a statement of the examiner's grounds for belief that the person committed or attempted to commit fraud or deception in the written, skills, or vision examination.

3. The director of revenue shall delegate the power to conduct the examinations required for a license or permit to any member of the highway patrol or any person employed by the highway patrol. The powers delegated to any examiner may be revoked at any time by the director of revenue upon notice.

4. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a motorcycle rider training course approved pursuant to sections 302.133 to 302.137 shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement.

5. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a military motorcycle rider training course that meets or exceeds the Motorcycle Safety Foundation curriculum standards by an applicant who is an active member of the U.S. armed forces, shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement. The director of revenue is authorized to promulgate rules and regulations for the administration and implementation of this subsection including rules governing the presentment of motorcycle training course completion cards from a military motorcycle rider training course or other documentation showing that the applicant has successfully completed a course in basic motorcycle safety instruction that meets or exceeds curriculum standards established by the Motorcycle Safety Foundation or other national organization whose purpose is to improve the safety of motorcyclists on the nation's streets and highways. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Johnson, **House Amendment No. 3, as amended**, was adopted by the following vote:

AYES: 077

Allen	Aull	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Day	Diehl

Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Franz	Fuhr	Funderburk	Gosen
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Meadows
Nance	Neth	Parkinson	Richardson	Riddle
Rowland	Schad	Schieber	Schieffer	Schneider
Shively	Silvey	Smith 150	Solon	Sommer
Swearingen	Swinger	Thomson	Torpey	Wallingford
Wieland	Zerr			

NOES: 074

Anders	Asbury	Atkins	Berry	Black
Brown 50	Brown 85	Carlson	Carter	Cookson
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Fraker	Franklin	Frederick	Gatschenberger
Grisamore	Haefner	Hampton	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	Lant	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Rizzo	Ruzicka	Sater	Scharnhorst	Schatz
Schupp	Shumake	Smith 71	Spreng	Still
Stream	Talboy	Taylor	Walton Gray	Webb
Weter	White	Wright	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Guernsey	Hughes	Lasater	Lauer
Molendorp	Nolte	Schoeller	Sifton	Webber
Wells	Mr Speaker			

Representative Brown (116) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 4, Section 306.127, Line 105, by inserting after all of said line the following:

“306.532. Effective [January 1, 2011] **August 28, 2012**, the certificate of title for a new outboard motor shall designate the year the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW". **Any outboard motor manufactured on or after July 1 of any year shall be labeled “Year Manufactured” with the calender year immediately following the year manufactured, unless the manufacturer indicates a specific model or program year.”**; and

Further amend said bill, Page 4, Section B, Line 2, by inserting after the comma “,” on said line the phrase “the repeal and reenactment of section 306.127 of”; and

Further amend said bill, page, and section, Line 5, by inserting after the first occurrence of the word “and” on said line the phrase “the repeal and reenactment of section 306.127 of”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (116), **House Amendment No. 4** was adopted.

Representative Ruzicka offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 3, Section 306.127, Line 75, by inserting after the word “**shall**” the following:

“provide a valid driver’s license establishing that the applicant is a nonresident and shall”; and

Further amend said bill and section, Page 4, Line 101, by inserting after the word “**temporary**” the word “**boating**”; and

Further amend said bill, page, and section, Line 104, by inserting after the word “**card.**” the following:

“The Missouri State Highway Patrol shall, by rule, develop a boating safety checklist for each applicant seeking a temporary boating safety identification card.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 5** was adopted.

Representative Pollock offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 4, Section 306.127, Line 105, by inserting after all of said section and line the following:

“577.073. 1. It is unlawful for any person to throw waste paper, tin cans, bottles, rubbish of any kind, or contaminate in any manner, any spring, pool or stream within a state park, nor shall any person other than authorized personnel of the department of natural resources cut, prune, pick or deface or injure in any manner the flowers, trees, shrub or any other flora growing on the land or in the water of any state park.

2. No person shall be permitted to offer or advertise merchandise or other goods for sale or hire, or to maintain any concession, or use any park facilities, buildings, trails, roads or other state park property for commercial use except by written permission or concession contract with the department of natural resources; **except that, the provisions of this subsection shall not apply to the normal and customary use of trails and roads by commercial and noncommercial organizations for the purpose of transporting persons, bicycles, or watercraft, as defined in section 537.327.**

3. No object of archaeological or historical value or interest within a state park may be removed, injured, disfigured, defaced or destroyed except by authorized personnel.

4. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.”; and

Further amend said bill, Page 4, Section B, Lines 1-6, by deleting all of said lines and inserting in lieu thereof the following:

“Section B. Because of the immediate need to protect tourism in this state and ensure that out-of-state residents are knowledgeable in the safe operation of vessels, the repeal and reenactment of sections 306.127 and 577.073 of this

act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 306.127 and 577.073 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 6** was adopted.

Representative Denison offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 4, Section 306.127, Line 105, by inserting after all of said section and line the following:

“306.220. Each person under the age of [seven] **twelve** who is on board any watercraft which is on the waters of this state shall wear a personal flotation device which is approved by the United States Coast Guard. Any person who allows a person under the age of [seven] **twelve** to be on board any watercraft which is on the waters of this state without wearing a personal flotation device shall be deemed guilty of a class C misdemeanor. This section does not apply when the person under the age of [seven] **twelve** is in a part of a watercraft which is fully enclosed, where such enclosure will prevent such person from falling out of or being thrown from the watercraft.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Marshall raised a point of order that **House Amendment No. 7** is not germane to the underlying bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 7**.

*House Amendment No. 1
to
House Amendment No. 7*

AMEND House Amendment No. 7 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, Lines 5 and 7, by inserting after the words, “this state” the following the words, “**and not tied to a dock, shore, or other permanent structure**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Dugger	Funderburk	Grisamore	Guernsey
Hughes	Lampe	Lasater	Lauer	Molendorp
Newman	Scharnhorst	Schoeller	Sifton	Webber
Wells	Zerr			

Representative Barnes moved that **House Amendment No. 1 to House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Pollock	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Shumake
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 020

Denison	Dugger	Fitzwater	Funderburk	Hughes
Lampe	Lasater	Lauer	May	Molendorp
Newman	Phillips	Richardson	Schoeller	Sifton
Silvey	Smith 150	Webber	Wells	Zerr

Representative Denison moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 018

Cauthorn	Dugger	Flanigan	Funderburk	Hughes
Lampe	Lasater	Lauer	McNary	Molendorp
Newman	Richardson	Schneider	Schoeller	Sifton
Silvey	Webber	Wells		

On motion of Representative Brown (116), **SS SCS SB 719, as amended**, was read the third time and passed by the following vote:

AYES: 094

Asbury	Atkins	Aull	Bahr	Barnes
Bernskoetter	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Meadows	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieffer	Schneider	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Thomson	Torpey
Wallingford	Weter	Wieland	Zerr	

NOES: 054

Anders	Berry	Black	Carlson	Carter
Casey	Colona	Dugger	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Rizzo	Schatz
Schieber	Schupp	Smith 71	Spreng	Still
Stream	Swinger	Talboy	Taylor	Walton Gray
Webb	White	Wright	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Dieckhaus	Flanigan	Funderburk	Hughes
Lasater	Lauer	Molendorp	Newman	Schoeller
Sifton	Swearingen	Webber	Wells	Mr Speaker

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Thomson	Torpey	Wallingford	Walton Gray	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 041

Atkins	Aull	Carlson	Carter	Conway 27
Ellinger	Ellington	Harris	Hodges	Holsman
Hubbard	Jones 63	Kander	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Colona	Funderburk	Hughes	Hummel	Lasater
Lauer	Newman	Schoeller	Sifton	Webber
Wells				

HCS SCS SB 562, relating to state university property transfers, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS SCS SB 562** was adopted.

On motion of Representative Thomson, **HCS SCS SB 562** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Denison	Dieckhaus	Funderburk	Hughes
Jones 117	Lasater	Lauer	Newman	Schoeller
Sifton	Webber			

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Thomson	Torpey	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 007

Colona	Ellington	Marshall	McCann Beatty	McCreery
Parkinson	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 019

Anders	Brown 50	Carter	Day	Dieckhaus
Funderburk	Hughes	Jones 63	Lasater	Lauer
May	McManus	Newman	Richardson	Schoeller
Sifton	Talboy	Wallingford	Webber	

HOUSE RESOLUTIONS

HR 959, relating to a “National Day of Prayer”, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HR 959** was adopted.

HR 1365, relating to the Ecumenical Patriarchate, was taken up by Representative Bahr.

On motion of Representative Bahr, **HR 1365** was adopted.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 625 - Retirement

SS SCS SB 803 - Professional Registration and Licensing

COMMITTEE REPORTS

Special Standing Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **SCS SB 856**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1880**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1690**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1728**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1790**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1970**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 469**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 470**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 595**, begs leave to report it has examined the same and recommends that it **Do pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 607**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 620**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 628**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 635**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 636**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 665**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 671**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 689**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 726**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 837**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, May 2, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued discussion of DSS policies and procedures

CHILDREN AND FAMILIES

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 758, SS SCS SB 448, HB 1907, HR 1391, HCR 54

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Wednesday, May 2, 2012, 2:30 PM House Lounge.

Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Thursday, May 3, 2012, 8:00 AM House Lounge.

Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, May 2, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1992

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: SS SCS SB 576

Executive session will be held: SS SCS SB 576

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 3, 2012, 9:00 AM South Gallery.

Public hearing will be held: HCS SB 455

Executive session will be held: HCS SB 455

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

HEALTH CARE POLICY

Wednesday, May 2, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1933, HB 1405, SS SB 742, HB 1078

Executive session may be held on any matter referred to the committee.

Meal provided by Jerry Burch on behalf of the Missouri Hospital Association

AMENDED

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, May 2, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HCR 55

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 8, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, May 2, 2012, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.

Public hearing will be held: SB 739, HB 1514, HB 2107

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, May 2, 2012, 8:00 AM House Hearing Room 7.

Executive session will be held: SCS SB 692

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 2, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: SS SCS SB 682, HB 2094

Executive session may be held on any matter referred to the committee.

AMENDED

SMALL BUSINESS

Wednesday, May 2, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 2103, HB 1412

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Thursday, May 3, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Executive session on previously referred bills

TOURISM AND NATURAL RESOURCES

Thursday, May 3, 2012, 8:30 AM House Hearing Room 7.

Public hearing will be held: SB 760

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-SIXTH DAY, WEDNESDAY, MAY 2, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 4 HCS HB 1049, HA 1 to HSA 1 for HA 2, *HSA 1 for HA 2, and HA 2, pending - Allen
- 5 HCS HB 1210, as amended - Gatschenberger
- 6 HCS HB 1795 - Ruzicka
- 7 HB 1966 - Burlison
- 8 HCS HB 1328 - Cox
- 9 HB 1779 - Flanigan
- 10 HCS HB 1794 - Grisamore
- 11 HCS HB 1854 - Grisamore
- 12 HCS HB 1754 - Cox
- 13 HCS HB 1815 - Pollock
- 14 HB 1842 - Lant
- 15 HCS HB 1922 - Molendorp
- 16 HCS HB 1935 - Franz
- 17 HB 2063 - Denison
- 18 HCS HB 2100 - Denison
- 19 HCS HB 1709 - Hough
- 20 HCS HBs 1076 & 1302 - Wyatt
- 21 HCS#2 HB 1358 - Gatschenberger
- 22 HCS HB 1397 - Gatschenberger
- 23 HCS HBs 1542 & 1101 - Koenig
- 24 HCS#2 HB 1213 - Franklin
- 25 HB 1357 - Gatschenberger
- 26 HCS HB 1526 - Dieckhaus
- 27 HCS HB 1846 - Long

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- 28 HCS HB 1585 - Cross
- 29 HCS HB 1639 - Nolte
- 30 HCS HB 1971 - Schneider

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS HB 1988 - Brandom

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee
- 5 HB 1455 - Gatschenberger

SENATE JOINT RESOLUTIONS FOR SECOND READING

SCS SJR 51

SENATE BILLS FOR THIRD READING

- 1 HCS SB 455, (Fiscal Review 4/26/12) - Thomson
- 2 HCS SS SCS SB 467, E.C. - Cox
- 3 HCS SCS SB 498, E.C. - Shumake
- 4 SCS SB 566 - Jones (117)
- 5 HCS SB 578 - Cox
- 6 SS SCS SB 699 - Fuhr
- 7 SCS SB 837 - Jones (117)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HB 1106, as amended - Dugger
- 2 HB 1188, SCA 1 - Allen
- 3 SCS HCS HB 1525 - Fuhr
- 4 SCS HCS HB 1495 - Nance
- 5 SCS HB 1112 - Gosen
- 6 SCS HCS HB 1042, as amended - Thomson
- 7 SCS HB 1504, as amended - Richardson

BILLS CARRYING REQUEST MESSAGES

SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6, HA 8 (request House recede/grant conference) - Davis

BILLS IN CONFERENCE

- 1 HCS SB 568, as amended, E.C. - Franz
- 2 SS SCS HCS HB 2002 - Silvey
- 3 SS SCS HCS HB 2003 - Silvey
- 4 SS SCS HCS HB 2004 - Silvey
- 5 SS SCS HCS HB 2005 - Silvey
- 6 SS SCS HCS HB 2006, as amended - Silvey
- 7 SS SCS HCS HB 2007 - Silvey
- 8 SS SCS HCS HB 2008 - Silvey
- 9 SS SCS HCS HB 2009 - Silvey
- 10 SS SCS HCS HB 2010 - Silvey
- 11 SS SCS HCS HB 2011, as amended - Silvey
- 12 SS SCS HCS HB 2012 - Silvey
- 13 SS SCS HCS HB 2013 - Silvey

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-SIXTH DAY, WEDNESDAY, MAY 2, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is my shepherd. (Psalm 23:1)

O shepherd of our souls, in days of doubt and in times of trouble, we realize anew our need for You. We need Your grace to cleanse us, Your love to strengthen us, Your power to heal us, and Your spirit to keep us free. Truly You are our shepherd, Your rod and Your staff are our sure supports. Strengthen our assurance that Your hand is upon us leading us in Your way and giving us the courage to walk in that way with You.

Bless our men and women in the Armed Forces of our country facing constant danger and death. Comfort the bereaved, sustain those who are wounded, strengthen those who face the ordeal of battle, and by Your spirit make us worthy of victory and ready to seek an enduring peace.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alexandra Lickliger, Billy Sellers, Nita Jones, Cecilia Jones, Alexander Jones and Lauren Rogers.

The Journal of the sixty-fifth day was approved as printed.

SECOND READING OF SENATE JOINT RESOLUTION

SCS SJR 51 was read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1049, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2, House Substitute Amendment No. 1 for House Amendment No. 2, and House Amendment No. 2, pending, relating to bullying in schools, was taken up by Representative Allen.

Representative Scharnhorst moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 014

Burlison	Dieckhaus	Franklin	Hough	Hughes
Jones 63	Kander	Lauer	May	McGhee
Parkinson	Sifton	Stream	Webber	

On motion of Representative Scharnhorst, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

On motion of Representative Lampe, **House Substitute Amendment No. 1 for House Amendment No. 2, as amended**, was adopted.

On motion of Representative Allen, **HCS HB 1049, as amended**, was adopted.

On motion of Representative Allen, **HCS HB 1049, as amended**, was ordered perfected and printed.

Speaker Pro Tem Schoeller assumed the Chair.

HB 2063, relating to ignition interlock devices, was taken up by Representative Denison.

Representative Denison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 2063, Page 10, Section 577.600, Line 39, by after all of said line inserting the following:

“5. Notwithstanding any other provision of law to the contrary, no person who has had installed an approved ignition interlock device pursuant to section 577.600, maintains such device and does not tamper with said device and shall have applied for a special driver’s license as provided for in subsection 2 of section 577.606 shall not have their driving privileges suspended or revoked as a result of an alcohol related offense or the refusal to take a test pursuant to section 577.020 by any court or administrative agency.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 1** was adopted.

Representative Brown (50) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 2063, Page 1, Section A, Line 3, by inserting after all of said line the following:

“300.390. 1. Except as otherwise provided in subsection 4 of this section, every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. The foregoing rules in this section have no application under the conditions stated in section 300.395 when pedestrians are prohibited from crossing at certain designated places.

4. In any home rule city with more than four hundred thousand inhabitants and located in more than one county, vehicles shall yield the right-of-way to all pedestrians and bicyclists crossing in an appropriate crosswalk on a city or neighborhood street. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor.”; and

Further amend said bill, Page 5, Section 302.304, Line 139, by inserting after all of said line the following:

“304.900. 1. Except as provided in subsection 4 of this section, every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. In any urbanized area as defined in section 304.010, vehicles shall yield the right-of-way to all pedestrians and bicyclists, even those crossing or operating in areas not designated as cross walks. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor.

4. Nothing in this section shall be construed to prohibit a political subdivision from enacting laws restricting where a person shall or shall not cross a street within a jurisdiction. Notwithstanding any other law, a pedestrian's act of crossing in a prohibited area shall not preclude a cause of action against a driver who has struck a pedestrian."; and

Further amend said bill, Section 577.041, Page 9, Line 131, by inserting after all of said line the following:

"577.060. 1. A person commits the crime of leaving the scene of a motor vehicle accident when being the operator or driver of a vehicle on the highway or on any publicly or privately owned parking lot or parking facility generally open for use by the public and knowing that an injury has been caused to a person or damage has been caused to property, due to [his] **such person's** culpability or to accident, [he] **such person** leaves the place of the injury, damage or accident without stopping and giving his **or her** name, residence, including city and street number, motor vehicle number and driver's license number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

2. For the purposes of this section, all peace officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. Leaving the scene of a motor vehicle accident is a class A misdemeanor, except that it shall be a class D felony if the accident resulted in:

- (1) Physical injury to another party; or
- (2) Property damage in excess of one thousand dollars; or
- (3) If the defendant has previously pled guilty to or been found guilty of a violation of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (50), **House Amendment No. 2** was adopted.

HB 2063, as amended, was laid over.

HCS HB 1854, relating to services for disabled individuals, was taken up by Representative Grisamore.

Representative Hoskins assumed the Chair.

Representative Grisamore offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1854, Page 2, Section 34.450, Line 30, by inserting after the word "**senate**" on said line the phrase "**or his or her designated representative**"; and

Further amend said bill, page, and section, Line 31, by inserting after the word "**representatives**" on said line the phrase "**or his or her designated representative**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 1** was adopted.

Representative Schoeller offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1854, Page 4, Section 34.450, Line 88, by inserting after all of said line the following:

- “135.630. 1. As used in this section, the following terms mean:
- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
 - (2) "Director", the director of the department of social services;
 - (3) "Pregnancy resource center", a nonresidential facility located in this state:
 - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
 - (b) Where childbirths are not performed; and
 - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
 - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
 - (e) Which provides its services at no cost to its clients; and
 - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
 - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
 - (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;
 - (5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.
2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.
3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.
4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.
5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.
6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

[9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 2** was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Hoskins offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1854, Page 19, Section 208.152, Line 324, by inserting after all of said line the following:

"209.200. As used in sections 209.200 to 209.204, the following terms shall mean:

- (1) "Disability", as defined in section 213.010;
- (2) "Service dog", a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes:
 - (a) "Guide dog", a dog that is being or has been specially trained to assist a particular blind or visually impaired person;
 - (b) "Hearing dog", a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;
 - (c) "Medical alert or [respond] **response dog**", a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;
 - (d) "Mobility dog", a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments;
 - (e) "**Professional therapy dog**", a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with their handlers, perform such functions in

institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 3** was adopted.

Representative Scharnhorst offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1854, Page 6, Section 135.1150, Line 78, by inserting after all of said section and line the following:

- "135.1220. 1. This section shall be known and may be cited as "Bryce's Law".
2. As used in this section, the following terms mean:
- (1) "Autism spectrum disorder", pervasive developmental disorder; Asperger syndrome; childhood disintegrative disorder; Rett syndrome; and autism;
 - (2) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
 - (3) "Department", the department of elementary and secondary education;
 - (4) "Director", the director of the department of elementary and secondary education;
 - (5) "Educational scholarships", grants to students to cover all or part of the tuition and fees at either a qualified nonpublic school or a qualified public school, including transportation;
 - (6) "Eligible student", any elementary or secondary student who attended public school in Missouri the preceding semester, or who will be attending school in Missouri for the first time, who is diagnosed as having, or has an individualized education plan based on, a special needs condition;
 - (7) "Parent", includes a guardian, custodian, or other person with authority to act on behalf of the child;
 - (8) "Program", the program established in this section;
 - (9) "Qualified school", either an accredited public elementary or secondary school outside of the district in which a student resides or an accredited nonpublic elementary or secondary school in Missouri that complies with all of the requirements of the program and complies with all state laws that apply to nonpublic schools regarding criminal background checks for employees and excludes from employment any person not permitted by state law to work in a nonpublic school;
 - (10) "Scholarship granting organization", a charitable organization which is exempt from federal income tax that complies with the requirements of this program and provides education scholarships to students attending qualified schools of their parents' choice, and that does not accept contributions on behalf of any eligible student from any taxpayer with any obligation to provide any support for the eligible student;
 - (11) "Special needs", an autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy;
 - (12) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer under chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under chapter 143, excluding sections 143.191 to 143.265 and related provisions;
 - (13) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state under chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.
3. For all tax years beginning on or after January 1, 2012, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to eighty percent of the amount such taxpayer

contributed to a scholarship granting organization. No taxpayer shall be issued more than eight hundred thousand dollars in tax credits authorized under this section per tax year.

4. The amount of the tax credit claimed shall not exceed fifty percent of a taxpayer's state tax liability for the taxable year for which the credit is claimed. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

5. The director shall determine, at least annually, which organizations in this state may be classified as scholarship granting organizations. The director may require of an organization seeking to be classified as a scholarship granting organization whatever information which is reasonably necessary to make such a determination. The director shall classify an organization as a scholarship granting organization if such organization meets the definition set forth in this section.

6. The director shall establish a procedure by which a taxpayer can determine if an organization has been classified as a scholarship granting organization. Scholarship granting organizations shall be permitted to decline a contribution from a taxpayer.

7. Each scholarship granting organization shall provide information to the director concerning the identity of each taxpayer making a contribution to the scholarship granting organization who is claiming a tax credit under this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

8. The director shall annually make a determination on the number of students in Missouri with an individualized education program based upon special needs. The director shall determine ten percent of this number for students to receive a scholarship from a scholarship granting organization in that year, plus a number based on fifty percent of the number of students with special needs-based individualized education programs for scholarships to be granted to students with a medical diagnosis of a special need who do not have an individualized education program based on the special need. The director shall publicly announce the number of special needs scholarship opportunities available each year. Once a scholarship granting organization has decided to provide a student with a scholarship, it shall promptly notify the director. The director shall keep a running tally of the number of scholarships granted in the order in which they were reported. Once the tally reaches the annual limit of eligible students, the director shall notify all of the participating scholarship granting organizations that they may not issue any more scholarships and any more receipts for contributions. If the scholarship granting organizations have not expended all of their available scholarship funds in that year at the time when the limit is reached, the available scholarship funds may be carried over into the next year. These unexpended funds shall not be counted as part of the requirement in subdivision (3) of subsection 10 of this section for that year. Any receipt for a scholarship contribution issued by a scholarship granting organization before the director has publicly announced the student limit has been reached shall be valid for a taxpayer claiming a credit.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. Each scholarship granting organization participating in the program shall:

(1) Notify the department of its intent to provide educational scholarships to students attending qualified schools;

(2) Provide a department-approved receipt to taxpayers for contributions made to the organization;

(3) Ensure that at least ninety percent of its revenue from donations is spent on educational scholarships, and that all revenue from interest or investments is spent on educational scholarships;

(4) Distribute periodic scholarship payments as checks made out to a student's parent and mailed to the qualified school where the student is enrolled. The parent or guardian shall endorse the check before it can be deposited;

(5) Cooperate with the department to conduct criminal background checks on all of its employees and board members and exclude from employment or governance any individual who might reasonably pose a risk to the appropriate use of contributed funds;

(6) Ensure that scholarships are portable during the school year and can be used at any qualified school that accepts the eligible student according to a parent's wishes. If a student moves to a new qualified school during a school year, the scholarship amount may be prorated;

(7) Demonstrate its financial accountability by:

(a) Submitting a financial information report for the organization that complies with uniform financial accounting standards established by the department and conducted by a certified public accountant; and

(b) Having the auditor certify that the report is free of material misstatements;

(8) Demonstrate its financial viability, if the organization is to receive donations of fifty thousand dollars or more during the school year, by filing with the department prior to the start of the school year:

(a) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(b) Financial information that demonstrates the financial viability of the scholarship granting organization.

11. Each scholarship granting organization shall ensure that each participating school that accepts its scholarship students shall:

(1) Comply with all health and safety laws or codes that apply to nonpublic schools;

(2) Hold a valid occupancy permit if required by its municipality;

(3) Certify that it will comply with 42 U.S.C. Section 1981, as amended; and

(4) Provide academic accountability to parents of the students in the program by regularly reporting to the parent on the student's progress.

12. Scholarship granting organizations shall not provide educational scholarships for students to attend any school with paid staff or board members who are relatives within the first degree of consanguinity or affinity.

13. A scholarship granting organization shall publicly report to the department, by June first of each year, the following information prepared by a certified public accountant regarding its grants in the previous calendar year:

(1) The name and address of the scholarship granting organization;

(2) The total number and total dollar amount of contributions received during the previous calendar year; and

(3) The total number and total dollar amount of educational scholarships awarded during the previous calendar year, and the total number and total dollar amount of educational scholarships awarded during the previous year to students eligible for free and reduced lunch.

14. The department shall adopt rules and regulations consistent with this section as necessary to implement the program.

15. The department shall provide a standardized format for a receipt to be issued by a scholarship granting organization to a taxpayer to indicate the value of a contribution received. The department shall require a taxpayer to provide a copy of this receipt when claiming the Missouri special needs scholarship tax credit.

16. The department shall provide a standardized format for scholarship granting organizations to report the information in this section.

17. The department may conduct either a financial review or audit of a scholarship granting organization.

18. If the department believes that a scholarship granting organization has intentionally and substantially failed to comply with the requirements of this section, the department may hold a hearing before the director, or his or her designee, to bar a scholarship granting organization from participating in the program. The director, or his or her designee, shall issue a decision within thirty days. A scholarship granting organization may appeal the director's decision to the administrative hearing commission for a hearing in accordance with the provisions of chapter 621.

19. If the scholarship granting organization is barred from participating in the program, the department shall notify affected scholarship students and their parents of this decision within fifteen days.

20. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

21. The department shall conduct a study of the program with funds other than state funds. The department may contract with one or more qualified researchers who have previous experience evaluating similar programs. The department may accept grants to assist in funding this study.

22. The study shall assess:

(1) The level of participating students' satisfaction with the program;

(2) The level of parental satisfaction with the program;

(3) The percentage of participating students who were bullied or harassed because of their special needs status at their resident school district compared to the percentage so bullied or harassed at their qualified school;

(4) The percentage of participating students who exhibited behavioral problems at their resident school district compared to the percentage exhibiting behavioral problems at their qualified school;

(5) The class size experienced by participating students at their resident school district and at their qualified school; and

(6) The fiscal impact to the state and resident school districts of the program.

23. The study shall be completed using appropriate analytical and behavioral sciences methodologies to ensure public confidence in the study.

24. The department shall provide the general assembly with a final copy of the evaluation of the program by December 31, 2015.

25. The public and nonpublic participating schools from which students transfer to participate in the program shall cooperate with the research effort by providing student assessment instrument scores and any other data necessary to complete this study.

26. The general assembly may require periodic updates on the status of the study from the department. The individuals completing the study shall make their data and methodology available for public review while complying with the requirements of the Family Educational Rights and Privacy Act, as amended.

27. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Curtman	Davis	Day	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Still	Swearingen
Swinger	Talboy	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 017

Bahr	Brown 50	Brown 116	Colona	Cross
Denison	Holsman	Keeney	Largent	McNary
Schad	Sifton	Silvey	Smith 71	Spreng
Webb	Webber			

Representative Scharnhorst moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Allen	Bahr	Barnes	Bernskoetter	Brandom
Brown 116	Burlison	Conway 14	Cookson	Cox
Curtman	Day	Dieckhaus	Diehl	Fisher
Fitzwater	Flanigan	Funderburk	Gatschenberger	Gosen
Higdon	Houghton	Jones 89	Jones 117	Koenig
Korman	Lair	Leach	McGhee	McNary
Nasheed	Neth	Nolte	Parkinson	Phillips
Richardson	Riddle	Schad	Scharnhorst	Schatz
Schoeller	Silvey	Smith 150	Sommer	Stream
Taylor	Wallingford	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 104

Anders	Asbury	Atkins	Aull	Berry
Black	Brattin	Brown 85	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 27
Crawford	Cross	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fraker	Franklin	Franz	Frederick	Fuhr
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Hoskins	Hough	Hubbard
Hughes	Hummel	Johnson	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Newman	Nichols	Oxford
Pace	Pierson	Pollock	Quinn	Redmon

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Reiboldt	Rizzo	Rowland	Ruzicka	Sater
Schieber	Schieffer	Schneider	Schupp	Shively
Shumake	Smith 71	Solon	Still	Swearingen
Swinger	Talboy	Thomson	Torpey	Walton Gray
Wells	Weter	White	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Holsman	Jones 63	Keeney	Sifton
Spreng	Webb	Webber		

Representative Guernsey offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1854, Page 19, Section 208.152, Line 324, by inserting after all of said line the following:

“208.960. Health care professionals licensed under chapter 331 shall be reimbursed under the MO HealthNet program for providing services currently covered under section 208.152 and within the scope of practice under section 331.010.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 5** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Johnson	Jones 89	Jones 117	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 017

Conway 14	Denison	Dieckhaus	Diehl	Franz
Houghton	Jones 63	Keeney	Kelly 24	Leach
Scharnhorst	Sifton	Spreng	Webb	Webber
Wells	Weter			

On motion of Representative Grisamore, **HCS HB 1854, as amended**, was adopted.

On motion of Representative Grisamore, **HCS HB 1854, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL

HCS SCS SB 498, relating to charitable veterans' organizations, was taken up by Representative Shumake.

Representative Silvey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, Page 1, In the Title, Lines 2 and 3, by striking the following: "retail businesses operated by charitable organizations" and inserting in lieu thereof the following:

"protecting the financial well being of vulnerable populations"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"42.300. 1. There is hereby created in the state treasury the "Veterans Commission Capital Improvement Trust Fund" which shall consist of money collected under section 313.835. The state treasurer shall administer the veterans commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans commission for:

- (1) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;
- (2) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;
- (3) Fund transfers to Missouri veterans' homes fund established under the provisions of section 42.121, as necessary to maintain solvency of the fund;

(4) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans commission prior to July 1, 2004;

(5) The issuance of matching fund grants for veterans' service officer programs to any federally chartered veterans' organization or municipal government agency that is certified by the Veterans Administration to process veteran claims within the Veterans Administration System; provided that such veterans' organization has maintained a veterans' service officer presence within the state of Missouri for the three-year period immediately preceding the issuance of any such grant. A total of one million five hundred thousand dollars in grants shall be made available annually for service officers and joint training and outreach between veterans' service organizations and the Missouri veterans commission with grants being issued in July of each year. Application for the matching grants shall be made through and approved by the Missouri veterans commission based on the requirements established by the commission;

(6) For payment of Missouri national guard and Missouri veterans commission expenses associated with providing medals, medallions and certificates in recognition of service in the armed forces of the United States during World War II, the Korean Conflict, and the Vietnam War under sections 42.170 to 42.226. Any funds remaining from the medals, medallions and certificates shall not be transferred to any other fund and shall only be utilized for the awarding of future medals, medallions, and certificates in recognition of service in the armed forces; [and]

(7) Fund transfers totaling ten million dollars to any municipality with a population greater than three hundred fifty thousand inhabitants and located in part in a county with a population greater than six hundred thousand inhabitants and with a charter form of government, for the sole purpose of the construction, restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I; **and**

(8) The administration of the Missouri veterans commission.

2. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund under this section. Notwithstanding the provisions of section 33.080, to the contrary, moneys in the veterans commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

3. Upon request by the veterans commission, the general assembly may appropriate moneys from the veterans commission capital improvement trust fund to the Missouri national guard trust fund to support the activities described in section 41.958.

4. The state auditor shall conduct an audit of all moneys in the veterans commission capital improvement trust fund every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly, governor, and lieutenant governor no later than ten business days after the completion of such audit.

161.215. 1. There is hereby created in the state treasury the "Early Childhood Development, Education and Care Fund" [which shall consist of money collected under section 313.835 and] which is created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten under section 160.053 to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten. **For fiscal year 2013 and each subsequent fiscal year, at least thirty-five million dollars of the funds received from the master settlement agreement, as defined in section 196.1000, shall be deposited in the early childhood development, education and care fund.**

2. No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this subsection to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys under the provisions of this subsection and additional moneys as appropriated by the general assembly shall be appropriated to the department

of elementary and secondary education and twenty percent of such moneys under the provisions of this subsection shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants:

- (1) Grants or contracts may be provided for:
 - (a) Start-up funds for necessary materials, supplies, equipment and facilities; and
 - (b) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;
- (2) Grant and contract applications shall, at a minimum, include:
 - (a) A funding plan which demonstrates funding from a variety of sources including parental fees;
 - (b) A child development, education and care plan that is appropriate to meet the needs of children;
 - (c) The identity of any partner agencies or contractual service providers;
 - (d) Documentation of community input into program development;
 - (e) Demonstration of financial and programmatic accountability on an annual basis;
 - (f) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation to the department of elementary and secondary education and commitment to compliance with the requirements of the department of social services, if funding comes from the department of social services; and
 - (g) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;
- (3) In awarding grants and contracts under this subdivision, the departments may give preference to programs which:
 - (a) Are new or expanding programs which increase capacity;
 - (b) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;
 - (c) Are programs designed for special needs children;
 - (d) Are programs that offer services during nontraditional hours and weekends; or
 - (e) Are programs that serve a high concentration of low-income families.

3. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. Section 9858c(c)(2)(A) and 42 U.S.C. Section 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized under subsection 2 of this section.

4. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child-care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization.

5. No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods.

6. In setting the value of parental certificates under subsection 3 of this section and payments under subsection 5 of this section, the department of social services may increase the value based on the following:

- (1) The adult caretaker of the children successfully participates in the parents as teachers program under the provisions of sections 178.691 to 178.699, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. Section 9832 or a similar program approved by the department;
- (2) The adult caretaker consents to and clears a child abuse or neglect screening under subdivision (1) of subsection 2 of section 210.152; and
- (3) The degree of economic need of the family.

7. The department of elementary and secondary education and the department of social services each shall by rule promulgated under chapter 536 establish guidelines for the implementation of the early childhood development, education and care programs as provided in subsections 2 to 6 of this section.

8. The state auditor shall conduct an audit of all moneys in the early childhood development, education and care fund created in subsection 1 of this section every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly no later than ten business days after the completion of such audit.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

313.835. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year [1999] **2013** and each fiscal year thereafter shall be distributed as follows:

(a) The first [four and one-half] **five** million dollar portion shall be transferred to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;

(b) The second three million dollar portion shall be transferred to the veterans' commission capital improvement trust fund created in section 42.300;

(c) The third [three] **four** million dollar portion shall be transferred to the Missouri national guard trust fund created in section 41.214;

(d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund [except as provided in paragraphs (e) and (f) of this subdivision, and], after the appropriations **are** made pursuant to the provisions of paragraphs (a), (b), and (c) of this subdivision, shall be transferred to the [early childhood development, education and care fund created in section 161.215;

(e) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-eight million dollars: one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107; three million dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans' commission capital improvement trust fund; and one million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri national guard trust fund created in section 41.214;

(f) Beginning in fiscal year 2011 and each fiscal year thereafter when the funding for early childhood education under paragraph (d) of this subdivision equals the funding level for early childhood education under paragraph (d) of this subdivision in fiscal year 2009, one-half of the next one million two hundred thousand dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans commission capital improvement trust fund for the purpose of funding veterans' service officer programs identified under subdivision (5) of subsection 1 of section 42.300, and the other half of the one million two hundred thousand dollars shall be transferred annually, subject to appropriation,

to the early childhood development, education and care fund created in section 161.215] **veterans' commission capital improvement trust fund created in section 42.300.**"; and

Further amend said bill, Page 1, Section B, Line 1, by striking the following: "preserve the rights of veterans" and inserting in lieu thereof the following:

"protect the financial well being of vulnerable populations"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 1** was adopted by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

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ABSENT WITH LEAVE: 007

Brattin	Franz	Holsman	Lasater	Sifton
Spreng	Webber			

On motion of Representative Shumake, **HCS SCS SB 498, as amended**, was adopted.

On motion of Representative Shumake, **HCS SCS SB 498, as amended**, was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Franz	Funderburk	Holsman	Lasater	McNary
Molendorp	Scharnhorst	Sifton	Smith 71	Spreng
Webber				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 001

Schupp

PRESENT: 000

ABSENT WITH LEAVE: 017

Aull	Barnes	Carter	Cierpiot	Franz
Holsman	Lasater	McGhee	McNary	Meadows
Nasheed	Schad	Scharnhorst	Sifton	Spreng
Webber	Zerr			

MOTION

Representative Jones (89) moved that Rule 23 be suspended.

Which motion was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Aull	Bernskoetter	Brattin	Cierpiot	Ellington
Funderburk	Gosen	Grisamore	Holsman	Hughes
Lasater	McGhee	McNary	Nance	Scharnhorst
Sifton	Spreng	Webber		

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1525, relating to the Justice Reinvestment Act, was taken up by Representative Fuhr.

Representative Fuhr offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1525, Page 6, Section 217.703, Line 98, by deleting the number “4” on said line and inserting in lieu thereof the number “5”; and

Further amend said bill, page, and section, Line 99, by deleting the number “6” on said line and inserting in lieu thereof the number “7”; and

Further amend said bill, Page 8, Section 221.105, Line 29, by deleting the first occurrence of the number “7” on said line and inserting in lieu thereof the number “6”; and

Further amend said bill, Page 10, Section 559.036, Line 23, by deleting the phrase “**subsection 3 of**” on said line; and

Further amend said bill, Page 11, Section 559.036, Line 66, by deleting the phrase “**subsection 2 of**” on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Fuhr, **SCS HCS HB 1525, as amended by House Perfecting Amendment No. 1**, was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford

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Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Cierpiot	Holsman	Lasater	McGhee
McManus	McNary	Sifton	Spreng	Webber

On motion of Representative Fuhr, SCS HCS HB 1525, as amended by House Perfecting Amendment No. 1, was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Cierpiot	Franklin	Holsman	Lasater
McGhee	McNary	Morgan	Sifton	Spreng
Taylor	Webber			

Speaker Pro Tem Schoeller declared the bill passed.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2741 through House Resolution No. 2586

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1039**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1073 & HCS HB 1477**, entitled:

An act to repeal sections 142.031, 178.530, 256.400, 270.270, 270.400, and 276.401, RSMo, and to enact in lieu thereof eight new sections relating to agriculture, with an existing penalty provision.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 4, Senate Amendment No. 4, as amended, and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, by inserting after all of said line the following:

"350.015. After September 28, [1975] **2007**, no corporation not already engaged in farming shall engage in farming; nor shall any corporation, directly or indirectly, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to agricultural land in this state; provided, however, that the restrictions set forth in this section shall not apply to the following:

- (1) A bona fide encumbrance taken for purposes of security;
- (2) A family farm corporation or an authorized farm corporation as defined in section 350.010;
- (3) Agricultural land and land capable of being used for farming owned by a corporation as of September 28, [1975] **2007**, including the normal expansion of such ownership at a rate not to exceed twenty percent, measured in acres, in any five-year period, or agricultural land and land capable of being used for farming which is leased by a corporation

in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of September 28, [1975] **2007**, and the additional acreage for normal expansion at a rate not to exceed twenty percent in any five-year period, and the additional acreage reasonably necessary, whether to be owned or leased by a corporation, to meet the requirements of pollution control regulations;

(4) A farm operated wholly for research or experimental purposes, including seed research and experimentation and seed stock production for genetic improvements, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(5) Agricultural land operated by a corporation for the purposes of growing nursery plants, vegetables, grain or fruit used exclusively for brewing or winemaking or distilling purposes and not for resale, for forest cropland or for the production of poultry, poultry products, fish or mushroom farming, production of registered breeding stock for sale to farmers to improve their breeding herds, for the production of raw materials for pharmaceutical manufacture, chemical processing, food additives and related products, and not for resale;

(6) Agricultural land operated by a corporation for the purposes of alfalfa dehydration exclusively and only as to said lands lying within fifteen miles of a dehydrating plant, and provided further said crops raised thereon shall be used only for further processing and not for resale in its original form;

(7) Any interest, when acquired by an educational, religious, or charitable not-for-profit or pro forma corporation or association;

(8) Agricultural land or any interest therein acquired by a corporation other than a family farm corporation or authorized farm corporation, as defined in section 350.010, for immediate or potential use in nonfarming purposes. A corporation may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or an authorized farm corporation, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914), as amended, or a subsidiary or assign of such a corporation;

(9) Agricultural lands acquired by a corporation by process of law or voluntary conveyance in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that any corporation may hold for ten years real estate acquired in payment of a debt, by foreclosure or otherwise, and for such longer period as may be provided by law;

(10) The provisions of sections 350.010 to 350.030 shall not apply to the raising of hybrid hogs in connection with operations designed to improve the quality, characteristics, profitability, or marketability of hybrid hogs through selective breeding and genetic improvement where the primary purpose of such livestock raising is to produce hybrid hogs to be used by farmers and livestock raisers for the improvement of the quality of their herds;

(11) A bank or trust company acting as administrator or executor under the terms of a will or trustee under the terms of a testamentary or inter vivos trust created by the owner of a family farm, or an inter vivos or testamentary trust, the principal of which is shares of a family farm corporation or authorized farm corporation and which trust is created by a shareholder of the family farm corporation or authorized farm corporation. However, a bank or trust company acting in the administration of an investment trust or a management trust formed with the primary purpose of making or managing investments or income-producing property and purchasing agricultural real estate with trust funds with the primary benefits accruing to investors or shareholders in the trust is not exempt from the provisions of sections 350.010 to 350.030;

(12) Agricultural land that on June 1, 1998, was in compliance with section 350.016."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1
to
Senate Amendment No. 4

AMEND Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 2, Section 516.105, Line 24, by inserting after the word "later." the following:

"The provisions of this subdivision shall not apply when the person is bringing the action as the owner of the animal against a veterinarian."

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 18, Section 276.401, Line 16 of said page, by inserting immediately after all of said line the following:

"516.105. All actions against physicians, hospitals, dentists, registered or licensed practical nurses, optometrists, podiatrists, pharmacists, chiropractors, professional physical therapists, **veterinarians treating animals**, and any other entity providing health care services **or veterinary services for animals** and all employees of any of the foregoing acting in the course and scope of their employment, for damages for malpractice, negligence, error or mistake related to health care **or veterinary care of animals** shall be brought within two years from the date of occurrence of the act of neglect complained of, except that:

(1) In cases in which the act of neglect complained of is introducing and negligently permitting any foreign object to remain within the body of a living person **or living animal**, the action shall be brought within two years from the date of the discovery of such alleged negligence, or from the date on which the patient **or owner of an animal** in the exercise of ordinary care should have discovered such alleged negligence, whichever date first occurs; and

(2) In cases in which the act of neglect complained of is the negligent failure to inform the patient **or owner of the animal** of the results of medical tests, the action for failure to inform shall be brought within two years from the date of the discovery of such alleged negligent failure to inform, or from the date on which the patient **or owner of the animal** in the exercise of ordinary care should have discovered such alleged negligent failure to inform, whichever date first occurs; except that, no such action shall be brought for any negligent failure to inform about the results of medical tests performed more than two years before August 28, 1999. For purposes of this subdivision, the act of neglect based on the negligent failure to inform the patient **or owner of the animal** of the results of medical tests shall not include the act of informing the patient **or owner of the animal** of the results of negligently performed medical tests or the act of informing the patient **or owner of the animal** of erroneous test results; and

(3) In cases in which the person bringing the action is a minor less than eighteen years of age, such minor shall have until his or her twentieth birthday to bring such action. In no event shall any action for damages for malpractice, error, or mistake be commenced after the expiration of ten years from the date of the act of neglect complained of or for two years from a minor's eighteenth birthday, whichever is later."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 8, Section 178.530, Lines 10-12, by striking all of said lines and inserting in lieu thereof the following:

"department of elementary and secondary education. The provisions of this subsection shall not be construed to create eligibility for a private school to receive state or federal funding for agricultural vocational education, but shall not prohibit a private school from receiving state or federal funds for which such private school would otherwise be eligible for agricultural vocational education. Any such private school shall reimburse".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 569, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 788**, entitled:

An act to repeal section 483.015, RSMo, and to enact in lieu thereof one new section relating to the appointment of circuit clerks.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 835**, entitled:

An act to repeal sections 320.106, 320.131, and 320.136, RSMo, and to enact in lieu thereof three new sections relating to fireworks, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

PERFECTION OF HOUSE BILL

HCS HB 1639, relating to taxation, was taken up by Representative Nolte.

Representative Korman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1639, Page 20, Section 144.055, Line 21, by inserting after all of said section and line, the following:

"144.059. 1. As used in this section, the term "'Made in USA' product" means any new product that supports a claim to be made in the United States under the policy on "Made in USA" claims enforced by the Federal Trade Commission, and that is not already exempt from state sales taxes under any provision of state law.

2. In each year beginning on or after January 1, 2013, but ending on or before December 31, 2014, there is hereby specifically exempted from state sales tax law all retail sales of any "Made in USA" product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a "Made in USA" product.

3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.

4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision's local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.

5. This section shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1** was adopted.

Representative Diehl assumed the Chair.

Speaker Tilley resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Houghton	Johnson	Jones 89	Keeney
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Long	Marshall	McNary	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Zerr
Mr Speaker				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Colona	Ellington	Fuhr	Funderburk
Guernsey	Hough	Jones 117	Kelley 126	Lichtenegger
McCaherty	McGhee	Molendorp	Nasheed	Parkinson
Scharnhorst	Sifton	Webber	Wright	Wyatt

On motion of Representative Nolte, **HCS HB 1639, as amended**, was adopted.

On motion of Representative Nolte, **HCS HB 1639, as amended**, was ordered perfected and printed.

SENATE CONCURRENT RESOLUTION

SCR 28, relating to the Missouri criminal code, was taken up by Representative Diehl.

On motion of Representative Diehl, **SCR 28** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Wells	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Dugger	Elmer	Frederick	Guernsey
Jones 117	Molendorp	Schad	Schneider	Sifton
Thomson	Webber	Weter	Wyatt	

BILL CARRYING REQUEST MESSAGE

SB 564, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 4, House Amendment No. 6 and House Amendment No. 8, relating to motorcycle rider training, was taken up by Representative Davis.

Representative Davis moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 4, House Amendment No. 6 and House Amendment No. 8** to **SB 564** and grant the Senate a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 1328, relating to controlled substances, was placed on the Informal Calendar.

HCS HB 1922, relating to the Department of Transportation and Highway Patrol Health Care Plan, was placed on the Informal Calendar.

HCS HBs 1076 & 1302, relating to renewable energy, was placed on the Informal Calendar.

THIRD READING OF HOUSE BILLS

HB 1277, relating to highway infrastructure improvement agreements, was placed on the Informal Calendar.

HB 1431, relating to aviation, was placed on the Informal Calendar.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HCS HB 1988, relating to real estate appraisal management, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HB 1988** was adopted.

On motion of Representative Brandom, **HCS HB 1988** was ordered perfected and printed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1308**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1400**, entitled:

An act to repeal sections 67.085, 361.070, 361.080, 400.9-311, and 408.052, RSMo, and to enact in lieu thereof five new sections relating to financial transactions, with existing penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HPA 1 to SCS HCS HB 1525** and has taken up and passed **SCS HCS HB 1525, as amended by HPA 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 to SB 611**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 to SS SCS SB 719**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

PERFECTION OF HOUSE BILL

HCS HB 1526, relating to school personnel, was taken up by Representative Dieckhaus.

Representative Elmer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1526, Pages 1 to 4, Sections 160.045, 163.172, 168.101, 168.110, and 168.114, by striking all of said sections from the bill; and

Further amend said bill and section, Page 5, Section 168.124, Lines 12 to 14, by deleting all of said lines and inserting in lieu thereof the following:

“(4)] Seniority, years of service, or the amount of an individual teacher’s salary shall not be used as criteria for reduction in force;

(2) Individual performance shall be the most heavily weighted factor, at not less than seventy percent, which shall include evidence of increased student achievement;

(3) Any record of misconduct, criminal conduct or excessive unexcused absences shall be considered as a negative factor;

(4) Significant, relevant contributions such as schoolwide contributions, creation and implementation of a tutoring program, and creation of a school enrichment program shall be considered as a positive factor;
(5) Relevant special training, certifications or licenses shall be considered as a positive factor; and
(6) Each teacher and principal contract and collective bargaining agreement shall authorize use of evaluation results as the basis for the decisions described in this section.

(7) No appointment of new teachers shall be made while there are available teachers on”; and

Further amend said page and section, Line 17, by deleting “**(3)**” and inserting in lieu thereof, “**(8)**”; and

Further amend said page and section, Line 19, by deleting “**(4)**” and inserting in lieu thereof, “**(9)**”; and

Further amend said page and section, Line 20, by deleting “**(5)**” and inserting in lieu thereof, “**(10)**”; and

Further amend said bill, Pages 5 to 7, Sections 168.126 and 168.211, by striking said sections from the bill; and

Further amend said bill, Page 8, Section 168.221, Line 11, by deleting “[April] **May**” and inserting in lieu thereof the following: “April”; and

Further amend said bill, Pages 10 to 14, Sections 168.251, 168.410, and 168.1032, by striking said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr				

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NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 013

Cierpiot	Day	Guernsey	McManus	Molendorp
Richardson	Schneider	Sifton	Silvey	Stream
Webber	Wright	Mr Speaker		

On motion of Representative Elmer, **House Amendment No. 1** was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
Marshall	McGhee	McNary	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Smith 150	Solon	Sommer
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr

NOES: 059

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curtman	Ellinger	Ellington	Fallert	Funderburk
Hampton	Harris	Higdon	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman

Nichols	Oxford	Pace	Pierson	Pollock
Quinn	Rizzo	Schieffer	Schupp	Shively
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 009

Day	Guernsey	Molendorp	Schneider	Sifton
Silvey	Stream	Webber	Mr Speaker	

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb			

PRESENT: 000

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ABSENT WITH LEAVE: 009

Bahr	Jones 63	Nolte	Scharnhorst	Schneider
Sifton	Smith 71	Taylor	Webber	

On motion of Representative Dieckhaus, **HCS HB 1526, as amended**, was adopted.

On motion of Representative Dieckhaus, **HCS HB 1526, as amended**, was ordered perfected and printed by the following vote:

AYES: 080

Allen	Bahr	Barnes	Bernskoetter	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Cierpiot	Conway 14	Cookson	Cox
Cross	Curtman	Davis	Day	Dieckhaus
Diehl	Elmer	Flanigan	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Higdon	Hinson	Hough	Hubbard
Hughes	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Leach	Leara	Lichtenegger	Loehner
Long	McGhee	McNary	Nasheed	Neth
Parkinson	Reiboldt	Richardson	Riddle	Rowland
Sater	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Silvey	Smith 150	Sommer	Stream
Talboy	Thomson	Torpey	Wallingford	Webb
Weter	White	Wyatt	Zerr	Mr Speaker

NOES: 078

Anders	Asbury	Atkins	Aull	Berry
Black	Carlson	Casey	Cauthorn	Colona
Conway 27	Crawford	Denison	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Frederick	Hampton	Harris
Hodges	Holsman	Hoskins	Houghton	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
Largent	Lasater	Lauer	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Rizzo	Ruzicka	Schieber	Schieffer
Schupp	Shively	Shumake	Smith 71	Solon
Spreng	Still	Swearingen	Swinger	Walton Gray
Wells	Wieland	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Jones 63	Nolte	Sifton	Taylor	Webber
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MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1108**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1250**, entitled:

An act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Bill No. 1250, Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend said bill, Page 2, Section 78.090, Line 23, by inserting immediately after said line the following:

"115.123. 1. All public elections shall be held on Tuesday. Except as provided in subsections 2[,] and 3[, and 4] of this section, and section 247.180, all public elections shall be held on the general election day, the primary election day, the general municipal election day, the first Tuesday after the first Monday in [February or] November, or on another day expressly provided by city or county charter, [the first Tuesday after the first Monday in June] and in nonprimary years on the first Tuesday after the first Monday in August. **Bond elections may be held on the first Tuesday after the first Monday in February but no other issue shall be included on the ballot for such election.**

2. Notwithstanding the provisions of subsection 1 of this section, an election for a presidential primary held pursuant to sections 115.755 to 115.785 shall be held on the first Tuesday after the first Monday in [March] **February** of each presidential election year.

3. The following elections shall be exempt from the provisions of subsection 1 of this section:

- (1) Bond elections necessitated by fire, vandalism or natural disaster;
- (2) Elections for which ownership of real property is required by law for voting; [and]
- (3) Special elections to fill vacancies and to decide tie votes or election contests; **and**

(4) Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year.

[4. No city or county shall adopt a charter or charter amendment which calls for elections to be held on dates other than those established in subsection 1 of this section.]

[5.] **4.** Nothing in this section prohibits a charter city or county from having its primary election in March if the charter provided for a March primary before August 28, 1999.

[6.] **5.** Nothing in this section shall prohibit elections held pursuant to section 65.600, but no other issues shall be on the March ballot except pursuant to this chapter."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 1250, Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said line the following:

"77.080. The style of the ordinances of the city shall be: "Be it ordained by the council of the city of, as follows:". **Except as provided in section 77.085**, no ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the council shall vote therefor, and the ayes and nays shall be entered on the journal. Every [proposed ordinance] **bill** shall be introduced to the council in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the council.

If the [proposed ordinance] **bill** is read by title only, copies of the [proposed ordinance] **bill** shall be made available for public inspection prior to the time the bill is under consideration by the council. No bill shall become an ordinance until it shall have been signed by the officer presiding at the meeting of the council at which it shall have been passed. When so signed, it shall be delivered to the mayor for his approval and signature, or his veto.

77.085. 1. In any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the second classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants, voters in the city may propose an ordinance to prohibit smoking, as the term "smoking" is defined in subdivision (6) of section 191.765, in certain areas and establishments within such city by submitting a petition signed by at least the same number of voters that equals twenty-five percent of the votes cast for all candidates for mayor at the last preceding election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the council.

2. The signatures to the petition need not all be appended to one paper, but each signer shall provide with such person's signature the street and number of his or her place of residence. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

3. Within ten days from the date of filing such petition, the city clerk shall examine and ascertain whether the petition contains signatures by the requisite number of voters. The council shall allow the clerk extra help for that purpose. The clerk shall attach a certificate of examination to the petition. If, by the clerk's certificate, the petition is shown to be insufficient, the petition may be amended within ten days from the date the clerk issued the certificate. The clerk shall, within ten days after such amendment is filed, examine the amended petition and issue another certificate. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the clerk shall submit it to the city council without delay.

4. Upon receipt of the petition and certificate from the clerk, the city council shall either:

- (1) Pass said ordinance without alteration within twenty days; or**
- (2) Submit the question without alteration at the next municipal election.**

5. The question shall be submitted in substantially the following form:

Shall the following ordinance be (adopted) (repealed)? (Set out ordinance).

☐ YES

☐ NO

6. If a majority of the voters voting on the proposed ordinance vote in favor, such ordinance shall become a valid and binding ordinance of the city. Any ordinance regulating smoking that is proposed by petition and adopted by a vote of the people cannot be repealed or amended except by a vote of the people. The council may submit a proposition for the repeal or amendment of any such ordinance to be voted upon at any municipal election. If the proposition so submitted receives a majority of the votes cast thereon, such ordinance shall be repealed or amended accordingly."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1527**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SB 564 with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8**: Senators Brown, Wasson, Richard, McKenna and Wright-Jones.

THIRD READING OF SENATE BILL

HCS SS SCS SB 467, relating to the State Accountability Portal, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 37.850, Lines 15-20, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 37.850, Line 20, by inserting after all of said section and line, the following:

“620.007. The department of economic development shall require start-up companies that apply for economic development incentives, where the incentive is provided up-front, to provide verification of financial information when an application for such incentives is submitted to the department. In complying with this section, the department shall define "start-up company".

620.009. 1. The department of economic development shall share either by electronic copy of the original source or as close as a reproduction as possible all adverse information it has about a company seeking state and local economic development incentives with all local governments, local not-for-profit economic development organizations, and economic development officials competing for the company's business.

2. Local governments, local not-for-profit economic development organizations, and economic development officials working with a company seeking state or local economic development incentives shall also share with the department of economic development all adverse information received about a company.

3. In complying with the provisions of this section, all adverse information received about a company seeking state or local economic development incentives shall be subject to the provisions of section 620.014.

4. In working with local governments, local not-for-profit economic development organizations, and economic development officials on projects, the department of economic development shall designate one or more persons as the local contact for each project. The designated contacts shall be the persons through whom all information required in this section shall be provided. Such persons shall be required to sign a nondisclosure agreement agreeing not to divulge information, including company name, acquired about an applicant for economic development incentives to the general public.

5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse information under this section.

620.019. The department of economic development shall develop a rating system to apprise local governments of the department's opinion on proposals for discretionary economic development incentives that combine local and state resources.

Section 1. The department of economic development shall include a conflict of interest policy in all new consulting contracts for trade offices located in foreign countries."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Scharnhorst offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"32.057. 1. Except as otherwise specifically provided by law, it shall be unlawful for the director of revenue, any officer, employee, agent or deputy or former director, officer, employee, agent or deputy of the department of revenue, any person engaged or retained by the department of revenue on an independent contract basis, any person to whom authorized or unauthorized disclosure is made by the department of revenue, or any person who lawfully or unlawfully inspects any report or return filed with the department of revenue or to whom a copy, an abstract or a portion of any report or return is furnished by the department of revenue to make known in any manner, to permit the inspection or use of or to divulge to anyone any information relative to any such report or return, any information obtained by an investigation conducted by the department in the discharge of official duty, or any information received by the director in cooperation with the United States or other states in the enforcement of the revenue laws of this state. Such confidential information is limited to information received by the department in connection with the administration of the tax laws of this state.

2. Nothing in this section shall be construed to prohibit:

(1) The disclosure of information, returns, reports, or facts shown thereby, as described in subsection 1 of this section, by any officer, clerk or other employee of the department of revenue charged with the custody of such information:

(a) To a taxpayer or the taxpayer's duly authorized representative under regulations which the director of revenue may prescribe;

(b) In any action or proceeding, civil, criminal or mixed, brought to enforce the revenue laws of this state;

(c) To the state auditor or the auditor's duly authorized employees as required by subsection 4 of this section;

(d) To any city officer designated by ordinance of a city within this state to collect a city earnings tax, upon written request of such officer, which request states that the request is made for the purpose of determining or enforcing compliance with such city earnings tax ordinance and provided that such information disclosed shall be limited to that sufficient to identify the taxpayer, and further provided that in no event shall any information be disclosed that will result in the department of revenue being denied such information by the United States or any other state. The city officer requesting the identity of taxpayers filing state returns but not paying city earnings tax shall furnish to the director of revenue a list of taxpayers paying such earnings tax, and the director shall compare the list submitted with the director's records and return to such city official the name and address of any taxpayer who is a resident of such city who has filed a state tax return but who does not appear on the list furnished by such city. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information;

(e) To any employee of any county or other political subdivision imposing a sales tax which is administered by the state department of revenue whose office is authorized by the governing body of the county or other political subdivision to receive any and all records of the state director of revenue pertaining to the administration, collection and enforcement of its sales tax. The request for sales tax records and reports shall include a description of the type of report requested, the media form including electronic transfer, computer tape or disk, or printed form, and the frequency desired. The request shall be made by annual written application and shall be filed with the director of revenue. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information. Such city or county or any employee thereof shall be subject to the same standards for confidentiality as required for the department of revenue in using the information contained in the reports;

(f) To the director of the department of economic development or the director's duly authorized employees in discharging the director's official duties to certify taxpayers eligibility to claim state tax credits as prescribed by statutes;

(g) To any employee of any political subdivision, such records of the director of revenue pertaining to the administration, collection and enforcement of the tax imposed in chapter 149 as are necessary for ensuring compliance with any cigarette or tobacco tax imposed by such political subdivision. The request for such records shall be made in writing to the director of revenue, and shall include a description of the type of information requested and the desired frequency. The director of revenue may charge a fee to reimburse the department for costs reasonably incurred in providing such information;

(h) To the public only the aggregate number of cigarettes sold annually in Missouri by each tobacco product manufacturer; except that, such disclosure shall not contain any other information, returns, reports, or facts shown thereby, as described in subsection 1 of this section submitted to any state agency by stamping agents or persons selling cigarettes at retail;

(2) The publication by the director of revenue or of the state auditor in the audit reports relating to the department of revenue of:

(a) Statistics, statements or explanations so classified as to prevent the identification of any taxpayer or of any particular reports or returns and the items thereof;

(b) The names and addresses without any additional information of persons who filed returns and of persons whose tax refund checks have been returned undelivered by the United States Post Office;

(3) The director of revenue from permitting the Secretary of the Treasury of the United States or the Secretary's delegates, the proper officer of any state of the United States imposing a tax equivalent to any of the taxes administered by the department of revenue of the state of Missouri or the appropriate representative of the multistate tax commission to inspect any return or report required by the respective tax provision of this state, or may furnish to such officer an abstract of the return or report or supply the officer with information contained in the return or disclosed by the report of any authorized investigation. Such permission, however, shall be granted on condition that the corresponding revenue statute of the United States or of such other state, as the case may be, grants substantially similar privileges to the director of revenue and on further condition that such corresponding statute gives confidential status to the material with which it is concerned;

(4) The disclosure of information, returns, reports, or facts shown thereby, by any person on behalf of the director of revenue, in any action or proceeding to which the director is a party or on behalf of any party to any action or proceeding pursuant to the revenue laws of this state when such information is directly involved in the action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such information as is pertinent to the action or proceeding and no more;

(5) The disclosure of information, returns, reports, or facts shown thereby, by any person to a state or federal prosecuting official, including, but not limited to, the state and federal attorneys general, or the official's designees involved in any criminal, quasi-criminal, or civil investigation, action or proceeding pursuant to the laws of this state or of the United States when such information is pertinent to an investigation, action or proceeding involving the administration of the revenue laws or duties of public office or employment connected therewith;

(6) Any school district from obtaining the aggregate amount of the financial institution tax paid pursuant to chapter 148 by financial institutions located partially or exclusively within the school district's boundaries, provided that the school district request such disclosure in writing to the department of revenue;

(7) The disclosure of records which identify all companies licensed by this state pursuant to the provisions of subsections 1 and 2 of section 149.035. The director of revenue may charge a fee to reimburse the department for the costs reasonably incurred in providing such records;

(8) The disclosure to the commissioner of administration pursuant to section 34.040 of a list of vendors and their affiliates who meet the conditions of section 144.635, but refuse to collect the use tax levied pursuant to chapter 144 on their sales delivered to this state;

(9) The disclosure to the public of any information, or facts shown thereby regarding the claiming of a state tax credit by a member of the Missouri general assembly or any statewide elected public official.

3. Any person violating any provision of subsection 1 or 2 of this section shall, upon conviction, be guilty of a class D felony.

4. The state auditor or the auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070 shall have the right to inspect any report or return filed with the department of revenue if such inspection is related to and for the purpose of auditing the department of revenue; except that, the state auditor or the auditor's duly authorized employees shall have no greater right of access to, use and publication of information, audit and related activities with respect to income tax information obtained by the department of revenue pursuant to chapter 143 or federal statute than specifically exists pursuant to the laws of the United States and of the income tax laws of the state of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

Representative Scharnhorst moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Torpey offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 1, Title, Line 2, by inserting immediately after "RSMo," the following:

"and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session,"; and

Further amend said bill and page, Section A, Line 1, by inserting immediately after "RSMo," the following:

"and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session,"; and

Further amend said bill, Page 2, Section 37.850, Line 20, by inserting immediately after said section and line the following:

"141.210. Sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be known by the short title of "Land Tax Collection Law".

141.220. The following words, terms and definitions, when used in sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, shall have the meanings ascribed to them in this section, except where the text clearly indicates a different meaning:

- (1) **"Ancillary parcel" shall mean a parcel of real estate acquired by a land bank agency other than:**
 - (a) **Pursuant to a deemed sale under subsection 3 of section 141.560;**
 - (b) **By deed from a land trust under subsection 1 of section 141.984; or**
 - (c) **Pursuant to a sale under subdivision (2) of subsection 2 of section 141.550;**
- (2) **"Appraiser" shall mean a state licensed or certified appraiser licensed or certified pursuant to chapter 339 who is not an employee of the collector or collection authority;**
- [(2)] (3) **"Board" or "board of commissioners" shall mean the board of commissioners of a land bank agency;**
- (4) **"Collector" shall mean the collector of the revenue in any county affected by sections 141.210 to 141.810 and sections 141.980 to 141.1015;**
- [(3)] (5) **"County" shall mean any county [of the first class] in this state having a charter form of government, any county of the first class [not having a charter form of government] with a population of at least one hundred fifty thousand but less than one hundred sixty thousand and any county of the first class [not having a charter form of government] with a population of at least eighty-two thousand but less than eighty-five thousand;**
- [(4)] (6) **"Court" shall mean the circuit court of any county affected by sections 141.210 to 141.810 and sections 141.980 to 141.1015;**
- [(5)] (7) **"Delinquent land tax attorney" shall mean a licensed attorney-at-law, employed or designated by the collector as hereinafter provided;**
- [(6)] (8) **"Land bank agency", shall mean an agency created under section 141.980;**
- (9) **"Land taxes" shall mean taxes on real property or real estate and shall include the taxes both on land and the improvements thereon;**

[(7)] (10) "Land trustees" and "land trust" shall mean the land trustees and land trust as the same are created by and described in section 141.700;

[(8)] (11) "Municipality" shall include any incorporated city or town, or a part thereof, located in whole or in part within a county of class one **or located in whole or in part within a county with a charter form of government**, which municipality now has or which may hereafter contain a population of two thousand five hundred inhabitants or more, according to the last preceding federal decennial census;

[(9)] (12) "Person" shall mean any individual, male or female, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver or trustee appointed by any state or federal court, trustee otherwise created, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

[(10)] (13) **"Political subdivision" shall mean any county, city, town, village, school district, library district, or any other public subdivision or public corporation having the power to tax;**

(14) **"Reserve period taxes" shall mean land taxes assessed against any parcel of real estate sold or otherwise disposed of by a land bank agency for the first three tax years following such sale or disposition;**

(15) "School district", "road district", "water district", "sewer district", "levee district", "drainage district", "special benefit district", "special assessment district", or "park district" shall include those located within a county as such county is described in [subdivision (3) of] this section;

[(11)] (16) "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk, respectively, of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**;

[(12)] (17) "Tax bill" as used in sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall represent real estate taxes and the lien thereof, whether general or special, levied and assessed by any taxing authority;

[(13)] (18) "Tax district" shall mean the state of Missouri and any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, located in any municipality or county as herein described;

[(14)] (19) "Tax lien" shall mean the lien of any tax bill as defined in [subdivision (12) of] this section;

[(15)] (20) "Taxing authority" shall include any governmental, managing, administering or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of Missouri or any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**.

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri, the county, any municipality and any school district, for the same tax year, shall be equal and first liens upon the real estate described in the respective tax bills thereof; provided, however, that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax year.

2. All tax bills for other than general taxes shall constitute liens junior to the liens for general taxes upon the real estate described therein; provided, however, that a tax bill for other than general taxes, of the more recent issue shall likewise be senior to any such tax bill of less recent date.

3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens, or held by the land trustees, **or acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550** shall be distributed to the owners of such liens in the order of the seniority of the liens, or their respective interests as shown by the records of the land trust **or the land bank agency**. Those holding liens of equal rank shall share in direct proportion to the amounts of their respective liens.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax bills collectible by him which are delinquent according to his records and he shall combine such lists with the list filed by any taxing authority or tax bill owner.

2. The collector shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the county on any delinquent tax bill included in any list, the collector shall give the court docket number of such suit and some appropriate designation of the place where such suit is pending, and such pending suit so listed in any petition filed pursuant to the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall, without further procedure or court order, be deemed to be consolidated with the suit brought under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, and such pending suit shall thereupon be abated.

3. The collector shall deliver such combined lists to the delinquent land tax attorney from time to time but not later than April the first of each year.

4. The delinquent land tax attorney shall incorporate such lists in petitions in the form prescribed in section 141.410, and shall file such petitions with the circuit clerk not later than June first of each year.

141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax bills appearing on the list or lists filed with him under the provisions of section 141.290, which receipt shall be held by the owner or holder of the tax bills or by the treasurer or other corresponding financial officer of the taxing authority so filing such list with the collector.

2. The collector shall, on or before the fifth day of each month, file with the owner or holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing authority, a detailed statement, verified by affidavit, of all taxes collected by him during the preceding month which appear on the list or lists received by him, and shall, on or before the fifteenth day of the month, pay the same, less his commissions and costs payable to the county, to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any taxing authority; provided, however, that the collector shall be given credit for the full amount of any tax bill which is bid in by the land trustees and where title to the real estate described in such tax bill is taken by the land trust, **or which is bid in by a land bank agency and where title to the real estate described in such tax bill is taken by such land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, or which is included in the bid of a land bank agency and where title to the real estate described in such tax bill is taken by such land bank agency pursuant to a sale under subdivision (2) of subsection 2 of section 141.550.**

141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a compensation of ten thousand dollars per year, or in counties having a county counselor, the collector shall at his option designate the county counselor and such of his assistants as shall appear necessary to act as the delinquent land tax attorney.

2. A delinquent land tax attorney who is not the county counselor, with the approval of the collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not less than two hundred dollars and not more than four hundred dollars per month, and such clerical employees as may be necessary, at salaries to be fixed by the collector at not less than three hundred dollars and not more than four hundred dollars per month; and the appointed delinquent tax attorney may incur such reasonable expenses as are necessary for the performance of his duties.

3. The delinquent land tax attorney and his assistants shall perform legal services for the collector and shall act as attorney for him in the prosecution of all suits brought for the collection of land taxes; but they shall not perform legal services for the land trust **or any land bank agency.**

4. Salaries and expenses of a delinquent land tax attorney who is not also the county counselor, his assistants and his employees shall be paid monthly out of the treasury of the county from the same funds as employees of the collector whenever the funds provided for by sections 141.150, 141.270, and 141.620 are not sufficient for such purpose.

5. The compensation herein provided shall be the total compensation for a delinquent land tax attorney who is not also a county counselor, his assistants and employees, and when the compensation received by him or owing to him by the collector exceeds ten thousand dollars in any one calendar year by virtue of the sums charged and collected pursuant to the provisions of section 141.150, the surplus shall be credited and applied by the collector to the expense of the delinquent land tax attorney and to the compensation of his assistants and employees, and any sum then remaining shall be paid into the county treasury on or before the first day of March of each year and credited to the general revenue fund of the county.

6. A delinquent land tax attorney who is not also the county counselor shall make a return quarterly to the county commission of such county of all compensation received by him, and of all amounts owing to him by the collector, and of all salaries and expenses of any assistants and employees, stating the same in detail, and verifying such amounts by his affidavit.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk a petition, which petition shall contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of County, Missouri,

In the Matter of

Foreclosure of Liens for Delinquent Land Taxes

By Action in Rem.

Collector of Revenue of County, Missouri, Plaintiff

-vs.-

Parcels of Land Encumbered with Delinquent Tax Liens
Defendants.

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to be sold by the sheriff at public sale as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.1015** and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**.

4. The delinquent land tax attorney within ten days after the filing of any such petition, shall forward by United States registered mail to each person or taxing authority having filed a list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.1015** a notice of the time and place of the filing of such petition and of the newspaper in which the notice of publication has been or will be published.

5. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill, whether general or special, issued by any taxing authority shall be prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated by the tax bill and that the tax is unpaid. Absent any answer the court shall take the allegations of the petition as confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon trial, affirmatively establish such defense.

2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated statement of facts. The court shall hear the evidence offered by the collector or relator as the case may be, and by all answering parties, and shall determine the amount of each and every tax bill proved by the collector or any answering party, together with the amount of interest, penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and determine every issue of law and of fact necessary to a complete adjudication of all tax liens asserted by any and every pleading, and may also hear evidence and determine any other issue of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate, sought to be enforced by any party to the proceeding against any other party to the proceeding who has been served by process or publication as authorized by law, or who has voluntarily appeared, and shall determine the order and priority of the liens and of any other rights or interest put in issue by the pleadings.

3. After the court has first determined the validity of the tax liens of all tax bills affecting parcels of real estate described in the petition, the priorities of the respective tax bills and the amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the foreclosure sale. The petition shall be dismissed as to any parcel of real estate redeemed prior to the time fixed for the sheriff's foreclosure sale as provided in sections 141.210 to 141.810 **and sections 141.980 to 141.1015**. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by the court, then all other proceedings as to such parcels of real estate shall be finally dismissed as to all parties and interests other than tax bill owners or holders; provided, however, that any parties seeking relief other than an interest in or lien upon the real estate may continue with said suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of foreclosure sale. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum greater than the total amount necessary to pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is confirmed by the court, and no appeal is taken by any person claiming any right, title or interest in or to or lien upon said parcel of real estate or by any person or taxing authority owning or holding or claiming any right, title or interest in or to any tax bills within the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution to the owners or holders of the respective tax bills included in the judgment of the amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by the court to be dismissed as to such persons or taxing authorities owning, holding or claiming any right, title, or interest in any such tax bill or bills so paid, and the case shall proceed as to any parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by such tax bill or bills as to their respective claims to such surplus funds then remaining in the hands of the sheriff.

4. Whenever an answer is filed to the petition, as herein provided, a severance of the action as to all parcels of real estate affected by such answer shall be granted, and the issues raised by the petition and such answer shall be tried separate and apart from the other issues in the suit, but the granting of such severance shall not delay the trial or other disposition of any other issue in the case. A separate appeal may be taken from any action of the court affecting any right, title, or interest in or to, or lien upon, such real estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court without the aid of a jury and the suit shall be in equity. This action shall take precedence over and shall be triable before any other action in equity affecting the title to such real estate, upon motion of any interested party.

141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments shall have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments shall have been made.

2. So long as such installments be paid according to the terms of the contract, the said six months waiting period shall be extended, but if any installment be not paid when due, the extension of said waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.

[3. No redemption contracts may be used under this section for residential property which has been vacant for at least six months in any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand.]

[141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, other than a residential property which has been vacant for at least six months, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on the individual's behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments being made.

2. So long as such installments are paid according to the terms of the contract, the six-month waiting period shall be extended, but if any installment is not paid when due, the extension of such waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.]

141.540. 1. In any county at a certain front door of whose courthouse sales of real estate are customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell the respective parcels of real estate ordered sold by him or her pursuant to any judgment of foreclosure by any court pursuant to sections 141.210 to 141.810 at any

of such courthouses, but the sale of such parcels of real estate shall be held at the same front door as sales of real estate are customarily made by the sheriff under execution.

2. Such advertisements may include more than one parcel of real estate, and shall be in substantially the following form:

NOTICE OF SHERIFF'S SALE UNDER JUDGMENT OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES

No. In the Circuit Court ofCounty, Missouri. In the Matter of Foreclosure of Liens for Delinquent Land Taxes Collector of Revenue ofCounty, Missouri, Plaintiff, vs. Parcels of Land encumbered with Delinquent Tax Liens, Defendants.

WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest, penalties, attorney's fees and costs with the serial numbers of each parcel of real estate, the description thereof, the name of the person appearing in the petition in the suit, and the total amount of the judgment against each such parcel for taxes, interest, penalties, attorney's fees and costs, all as set out in said judgment and described in each case, respectively, as follows: (Here set out the respective serial numbers, descriptions, names and total amounts of each judgment, next above referred to.) and,

WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to satisfy the total amount of such judgment, including interest, penalties, attorney's fees and costs,

NOW, THEREFORE,

Public Notice is hereby given that I, Sheriff ofCounty, Missouri, will sell such real estate, parcel by parcel, at public auction, to the highest bidder, for cash, between the hours of nine o'clock A.M. and five o'clock P.M., at the front door of the County Courthouse in, Missouri, on, the day of, 20.., and continuing from day to day thereafter, to satisfy the judgment as to each respective parcel of real estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel shall be sold to the Land Trust of (insert name of County), Missouri **or Land Bank of the City of (insert name of municipality), Missouri.**

Any bid received shall be subject to confirmation by the court. Sheriff of County, Missouri. Delinquent Land Tax Attorney Address: First Publication, 20..

3. Such advertisement shall be published four times, once a week, upon the same day of each week during successive weeks prior to the date of such sale, in a daily newspaper of general circulation regularly published in the county, qualified according to law for the publication of public notices and advertisements.

4. In addition to the provisions herein for notice and advertisement of sale, the county collector shall enter upon the property subject to foreclosure of these tax liens and post a written informational notice in any conspicuous location thereon. This notice shall describe the property and advise that it is the subject of delinquent land tax collection proceedings before the circuit court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment of delinquent taxes at a sale to be held at ten o'clock a.m., date and place, and shall also contain a file number and the address and phone number of the collector. If the collector chooses to post such notices as authorized by this subsection, such posting must be made not later than the fourteenth day prior to the date of the sale.

5. The collector shall, concurrently with the beginning of the publication of sale, cause to be prepared and sent by restricted, registered or certified mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the persons named in the petition as being the last known persons in whose names tax bills affecting the respective parcels of real estate described in said petition were last billed or charged on the books of the collector, or the last known owner of record, if different, and to the addresses of said persons upon said records of the collector. The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail. If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive and receipt for the notice as shown by the return receipt, then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any person who, from such records, appears as a successor to the person to whom the original notice was addressed, and to cause another notice to be mailed to such person. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected of any such notices of sale that are undeliverable because of an addressee's refusal to receive and receipt for the same, or of any notice otherwise nondeliverable by mail, or in the event that any name or address does not appear on the records of the collector, then of that fact. The affidavit in addition to the recitals set forth above shall also state reason for the nondelivery of such notice.

6. The collector may, at his or her option, concurrently with the beginning of the publication of sale, cause to be prepared and sent by restricted, registered or certified mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the mortgagee or security holder, if known, of the respective parcels of real estate described in said petition, and to the addressee of such mortgagee or security holder according to the records of the collector. The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail. If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive and receipt for the notice as shown by the return receipt, then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any security holder who, from such records, appears as a successor to the security holder to whom the original notice was addressed, and to cause another notice to be mailed to such security holder. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected by any such notices of sale that are undeliverable because of an addressee's refusal to receive and receipt for the same, or of any notice otherwise nondeliverable by mail, and stating the reason for the nondelivery of such notice.

141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more violations of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality. **Notwithstanding this provision, any taxing authority or land bank agency shall be eligible to bid at any sale conducted under this section without making such a demonstration.**

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale, there be no bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels of real estate so advertised, the sheriff shall adjourn such sale from day to day at the same place and commencing at the same hour as when first offered and shall announce that such real estate will be offered or reoffered for sale at such time and place.

2. **With respect to any parcel of real estate not located wholly within a municipality that is an appointing authority under section 141.981**, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after any parcel of real estate has been offered for sale on three different days, which need not be successive, the land trustees shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and if no other bid be then received by the sheriff in excess of the bid of the trustees, and the sheriff shall so announce at the

sale, then the bid of the trustees shall be announced as accepted. The sheriff shall report any such bid or bids so made by the land trustees in the same way as his report of other bids is made. **The land trust shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trust. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.**

3. [The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.] **With respect to any parcel of real estate located wholly within a municipality that is an appointing authority under section 141.981, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after such parcel of real estate has been offered for sale on three different days, which need not be successive, the land bank agency for which said municipality is an appointing authority shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and the sheriff shall so announce at the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff shall report any such bid or bids so made by such land bank agency in the same way as his report of other bids is made. Upon confirmation by the court of such bid at such sale by such land bank agency, the collector shall mark the tax bills so bid by such land bank agency as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.**

141.570. 1. The title to any real estate which shall vest in the land trust under the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be held by the land trust of such county in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure. **The title to any real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 shall be held in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure.**

2. The title to any real estate which shall vest in any purchaser, upon confirmation of such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the United States of America, if any, and all persons, including the state of Missouri, infants, incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption, and the court shall order immediate possession of such real estate be given to such purchaser; provided, however, that such title shall also be subject to the liens of any tax bills which may have attached to such parcel of real estate prior to the time of the filing of the petition affecting such parcel of real estate not then delinquent, or which may have attached after the filing of the petition and prior to sheriff's sale and not included in any answer to such petition, but if such parcel of real estate is **deemed** sold to the land trust **pursuant to subsection 2 of section 141.560, or deemed sold to a land bank agency pursuant to subsection 3 of section 141.560, or sold to a land bank agency pursuant to subdivision (2) of subsection 2 of section 141.550**, the title thereto shall be free of any such liens to the extent of the interest of any taxing authority in such real estate; provided further, that such title shall not be subject to the lien of special tax bills which have attached to the parcel of real estate prior to November 22, 1943, but the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the ultimate sale of such parcel by the land trust **or land bank agency**.

141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own motion or upon motion of any interested party, set the cause down for hearing to confirm the foreclosure sale thereof, even though such parcels are not all of the parcels of real estate described in the notice of sheriff's foreclosure sale. At the time of such hearing, the sheriff shall make report of the sale, and the court shall hear evidence of the value of the property offered on behalf of any interested party to the suit, and shall forthwith determine whether an adequate consideration has been paid for each such parcel.

2. For this purpose the court shall have power to summon any city or county official or any private person to testify as to the reasonable value of the property, and if the court finds that adequate consideration has been paid, [he] **the court** shall confirm the sale and order the sheriff to issue a deed to the purchaser. If the court finds that the consideration paid is inadequate, **the court shall confirm the sale if** the purchaser [may increase] **increases** his bid to such amount as the court [may deem] **deems** to be adequate[, whereupon the court may confirm the sale. If, however,] **and makes such additional payment, or if all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon are not paid in full by one or more interested parties to the suit. If the court finds that the consideration is inadequate, but** the purchaser declines to increase his bid **to such amount as the court deems adequate** and make such additional payment, then the sale shall be disapproved **if all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon are paid in full by one or more interested parties to the suit**, the lien of the judgment continued, and such parcel of real estate shall be again advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure sale. Unless the court requires evidence of the value of the property conveyed to land trust **or a land bank agency**, none shall be required, and the amount bid by the land trustees **or such land bank agency** shall be deemed adequate consideration.

3. **Except as otherwise provided in subsection 6 of section 141.984**, if the sale is confirmed, the court shall order the proceeds of the sale applied in the following order:

- (1) To the payment of the costs of the publication of the notice of foreclosure and of the sheriff's foreclosure sale;
- (2) To the payment of all costs including appraiser's fee [not to exceed fifteen dollars] and attorney's fees;
- (3) To the payment of all tax bills adjudged to be due in the order of their priority, including principal, interest and penalties thereon.

If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure sale, the court shall thereupon try and determine the other issues in the suit in accordance with section 141.480. If any answering parties have specially appealed as provided in section 141.570, the court shall retain the custody of such funds pending disposition of such appeal, and upon disposition of such appeal shall make such distribution. If there are not sufficient proceeds of the sale to pay all claims in any class described, the court shall order the same to be paid pro rata in accordance with the priorities.

4. If there are any funds remaining of the proceeds after the sheriff's sale and after the distribution of such funds as herein set out and no person entitled to any such funds, whether or not a party to the suit, shall, within two years after such sale, appear and claim the funds, they shall [escheat to the state as provided by law] **be distributed to the appropriate taxing authorities.**

141.720. 1. The land trust shall be composed of three members, one of whom shall be appointed by the county, **as directed by the county** executive, or if the county does not have a county executive, **as directed by the county** commission of the county, one of whom shall be appointed by [the city council of that city] **the municipality** in the county which **is not an appointing authority under section 141.981** and then has the largest population according to the last preceding federal decennial census, and one of whom shall be appointed by [the board of directors of] the school district **in the county which is not an appointing authority under section 141.981** and then has the largest population according to such census in the county. **If any appointing authority under this section fails to make any appointment of a land trustee after any term expires, then the appointment shall be made by the county.**

2. The terms of office of the land trustees shall be for four years each, except the terms of the first land trustees who shall be appointed by the foregoing appointing authorities, respectively, not sooner than twelve months and not later than eighteen months after sections 141.210 to 141.810 take effect; **provided, however, that the term of any land trustee appointed by a municipality or school district that becomes an appointing authority of a land bank agency under section 141.981 shall terminate and such municipality and such school district shall cease to be appointing authorities for such land trust under this section upon the completion of all transfers to the land bank agency from the land trust required under subsection 1 of section 141.984 or one year after the effective date of the ordinance or resolution establishing the land bank agency, whichever is the first to occur.**

3. Each land trustee shall have been a resident of the county for at least five years next prior to appointment, shall not hold other salaried or compensated public office by election or appointment during service as land trustee, the duties of which would in any way conflict with his duties as land trustee, and shall have had at least ten years experience in the management or sale of real estate.

4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee appointed by the county commission shall serve for a term ending February 1, 1946, the land trustee appointed by the board of directors of the school district then having the largest population in the county shall serve for a term expiring February 1, 1947,

and the land trustee appointed by the city council of the city then having the largest population in the county shall serve for a term expiring February 1, 1948. Each land trustee shall serve until his successor has been appointed and qualified.

5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the same appointing authority which made the original appointment. If any appointing authority fails to make any appointment of a land trustee within the time the first appointments are required by sections 141.210 to 141.810 to be made, or within thirty days after any term expires or vacancy occurs, then the appointment shall be made by the [mayor of that city in the] county [then having the largest population, according to the last preceding federal decennial census].

6. The members shall receive for their services as land trustees a salary of two thousand four hundred dollars per year.

7. Each land trustee may be removed for cause by the respective appointing authority, after public hearing, if requested by the land trustee, and an opportunity to be represented by counsel and to present evidence is afforded the trustee.

141.770. 1. Each annual budget of the land trust shall be itemized as to objects and purposes of expenditure, prepared not later than [December tenth] **October first** of each year with copies delivered to the [county and city that appointed trustee members] **appointing authorities of such land trust under section 141.720**, and shall include therein only such appropriations as shall be deemed necessary to meet the reasonable expenses of the land trust during the forthcoming fiscal year. That budget shall not become the required annual budget of the land trust unless and until it has been approved by the governing bodies of the [county or city that appointed trustee members] **appointing authorities of such land trust under section 141.720**. If [either] **any** of the governing bodies of the [county and city that appointed trustee members] **appointing authorities of such land trust under section 141.720** fail to notify the land trust in writing of any objections to the proposed annual budget on or before [December] **November** twentieth, then such failure or failures to object shall be deemed approval. In the event objections have been made and a budget for the fiscal year beginning January first has not been approved by the governing bodies of the [county and city] **appointing authorities of such land trust under section 141.720** on or before January first, then the budget for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements of the forthcoming year.

2. Copies of the budget shall be made available to the public on or before [December] **October** tenth, and a public hearing shall be had thereon prior to [December] **October** twentieth, in each year. The approved and adopted budget may be amended by the trustee members only with the approval of the governing bodies of the [county and city that appointed trustee members] **appointing authorities of such land trust under section 141.720**.

3. If at any time there are not sufficient funds available to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, funds sufficient to pay such expenses shall be advanced and paid to the land trust upon its requisition therefor, [fifty] **seven** percent thereof by the county commission of [such] **the county in which such land trust operates**, and the other [fifty] **ninety-three** percent by all of the [municipalities in such county as defined in section 141.220] **taxing authorities in such county that are not appointing authorities for a land bank agency under section 141.981 and all municipalities and school districts in such county that are appointing authorities for a land bank agency under section 141.981 and are appointing authorities for such land trust under section 141.720**, in proportion to [their] **the product of their respective tax levy rates and the assessed valuations** [at the time of their last completed assessment for state and county purposes] **of the properties then in the land trust inventory located within their respective taxing jurisdictions**. The land trust shall have power to requisition such funds in an amount not to exceed twenty-five percent of the total annual budget of the land trust from such sources for that fiscal year of the land trust for which there are not sufficient funds otherwise available to pay the salaries and other expenses of the land trust, but any amount in excess of twenty-five percent of the total annual budget in any fiscal year may be requisitioned by and paid to the land trust only if such additional sums are agreed to and approved by the county [commission and the respective municipalities in such county so desiring to make such payment] **and such other taxing authorities**. All moneys so requisitioned shall be paid in a lump sum within thirty days after such requisition or the commencement of the fiscal year of the land trust for which such requisition is made, whichever is later, **by the county paying seven percent thereof due from the county under this section and advancing the remaining ninety-three percent due from other taxing authorities under this section on behalf of such other taxing authorities, and such amounts so paid** shall be deposited to the credit of the land trust in some bank or trust company, subject to withdrawal by warrant as herein provided. **Amounts advanced by the county on behalf of any taxing authority under this section shall be reimbursed to the county upon demand by the county or by the county withholding such amounts from distributions of tax moneys to such taxing authority.**

4. The fiscal year of the land trust shall commence on January first of each year. Such land trust shall audit all claims for the expenditure of money, and shall, acting by the chairman or vice chairman thereof, draw warrants therefor from time to time.

5. No warrant for the payment of any claim shall be drawn by such land trust until such claim shall have been approved by the land commissioner and shall bear the commissioner's certificate that there is a sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for the payment thereof. For any certification contrary thereto, such land commissioner shall be liable personally and on the commissioner's official bond for the amounts so certified, and shall thereupon be promptly removed from office by the land trustees.

6. In addition to the annual audit provided for in section 141.760, the land trust may be performance audited at any time by the state auditor or by the auditor of any home rule city with more than four hundred thousand inhabitants and located in more than one county that is a member of the land trust. The cost of such audit shall be paid by the land trust, and copies shall be made available to the public within thirty days of the completion of the audit.

141.785. 1. The land trust shall be authorized to file an action to quiet title pursuant to section 527.150 as to any real property in which the land trust has an interest. For purposes of any and all such actions the land trust shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land trust as adequate petitioner in such action.

2. Prior to the filing of an action to quiet title the land trust shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the petition to quiet title shall be provided to all such interested parties by the following methods:

(1) Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by first class mail, addressed to "Occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located; and

(5) Such other methods as the court may order.

3. As part of the petition to quiet title the land trust shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

4. The court shall schedule a hearing on the petition within ninety days following filing of the petition, and as to all matters upon which an answer was not filed by an interested party, the court shall issue its final judgment within one hundred twenty days of the filing of the petition.

5. The land trust shall be authorized to join in a single petition to quiet title one or more parcels of real property.

141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of amounts due from the land trust under subsection 2 of section 141.560 on the sale or other disposition of such parcel;

(2) To the payment of the expenses of sale;

[(2)] (3) The balance to be retained by the land trust to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, as provided for in its annual budget;

[(3)] (4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land trust in any fiscal year, and including a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, [may] shall be paid to the respective taxing authorities which, at the time of the distribution, are taxing the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities; distribution shall be made on January first and July first of each year, and at such other times as the land trustees in their discretion may determine.

141.980. 1. Any municipality located wholly or partially within a county in which a land trust created under section 141.700 was operating on January 1, 2012, may establish a land bank agency for the management, sale, transfer, and other disposition of interests in real estate owned by such land bank agency. Any such land bank agency created shall be created to foster the public purpose of returning land, including land that is in a nonrevenue-generating, nontax-producing status, to effective use in order to provide housing, new industry, and

jobs for citizens of the establishing municipality, and to create new revenues for such municipality. Such land bank agency shall be established by ordinance or resolution as applicable. Such land bank agency shall not own any interest in real estate that is located wholly or partially outside such establishing municipality.

2. The beneficiaries of the land bank agency shall be the taxing authorities that held or owned tax bills against the respective parcels of real estate acquired by such land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 included in the judgment of the court, and their respective interests in each parcel of real estate shall be to the extent and in the proportion and according to the priorities determined by the court on the basis that the principal amount of their respective tax bills bore to the total principal amount of all of the tax bills described in the judgment.

3. Each land bank agency created pursuant to this chapter shall be a public body corporate and politic, and shall have permanent and perpetual duration until terminated and dissolved in accordance with the provisions of section 141.1012.

141.981. 1. A land bank agency shall be composed of a board of commissioners which shall consist of five members, one of whom shall be appointed by the county, as directed by the county executive, or if the county does not have a county executive, as directed by the county commission of the county, one of whom shall be appointed by the school district that is wholly or partially located within such municipality and county and then has the largest population according to the last preceding federal decennial census, and the remainder shall be appointed by the municipality that established the land bank agency. The term of office of the members shall be for four years each. Members shall serve at the pleasure of the member's appointing authority, may be employees of the appointing authority, and shall serve without compensation. Any vacancy in the office of land bank commissioner shall be filled by the same appointing authority that made the original appointment. Members of the first board of a land bank agency shall be appointed within sixty days after the effective date of the ordinance or resolution passed establishing such land bank agency. If any appointing authority fails to make any appointment of a land bank commissioner within the time the first appointments are required, or within sixty days after any term expires, then the appointment shall be made by the municipality that established the land bank agency. Except as otherwise provided in subsection 2 of section 141.720, any municipality or school district that is an appointing authority under this section shall not be an appointing authority under section 141.720.

2. Notwithstanding any law to the contrary, any public officer shall be eligible to serve as a board member and the acceptance of the appointment shall neither terminate nor impair such public office. For purposes of this section, "public officer" shall mean a person who is elected to a political subdivision office. Any political subdivision employee shall be eligible to serve as a board member.

3. The members of the board shall select annually from among themselves a chair, a vice-chair, a treasurer, and such other officers as the board may determine, and shall establish their duties as may be regulated by rules adopted by the board.

4. The board shall have the power to organize and reorganize the executive, administrative, clerical, and other departments of the land bank agency and to fix the duties, powers, and compensation of all employees, agents, and consultants of the land bank agency. The board may cause the land bank agency to reimburse any member for expenses actually incurred in the performance of duties on behalf of the land bank agency.

5. The board shall meet in regular session according to a schedule adopted by the board, and shall meet in special session as convened by the chairman or upon written notice signed by a majority of the members. The presence of a majority of the board's total membership shall constitute a quorum to conduct business.

6. All actions of the board shall be approved by the affirmative vote of a majority of the members of the board present and voting; provided, however, that no action of the board shall be authorized on the following matters unless approved by a roll call vote of a majority of the entire board membership:

- (1) Adoption of bylaws and other rules and regulations for conduct of the land bank agency's business;
- (2) Hiring or firing of any employee or contractor of the land bank agency. This function may, by majority vote, be delegated by the board to a specified officer or committee of the land bank agency, under such terms and conditions, and to the extent, that the board may specify;
- (3) The incurring of debt, including, without limitation, borrowing of money and the issuance of bonds, notes, or other obligations;
- (4) Adoption or amendment of the annual budget;
- (5) Sale of real property for a selling price that represents a consideration less than two-thirds of the appraised value of such property; and

(6) Lease, encumbrance, or alienation of real property, improvements, or personal property with a value of more than fifty thousand dollars.

7. The board members shall each furnish a surety bond, if such bond is not already covered by governmental surety bond, in a penal sum not to exceed twenty-five thousand dollars to be approved by the comptroller or director of finance of the municipality that established the land bank agency, issued by a surety company licensed to do business in this state, which bond shall be deposited with the county clerk of such county, and shall guarantee the faithful performance of such member's duties under sections 141.980 to 141.1015, and shall be written to cover all the commissioners.

8. Before entering upon the duties of office, each board member shall take and subscribe to the following oath:

State of Missouri,)
) ss
City of . . .)

I, . . . , do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Missouri; that I will faithfully and impartially discharge my duties as a member of the Land Bank of . . . , Missouri; that I will according to my best knowledge and judgment, administer such tax delinquent and other lands held by the land bank according to the laws of the State of Missouri and for the benefit of the public bodies and the tax bill owners which I represent, so help me God.

.....
Subscribed and sworn to this . . . day of . . . , 20 . .
My appointment expires:

.....
Notary Public

9. Members of the board shall not be liable personally on the bonds or other obligations of the land bank agency, and the rights of creditors of the land bank agency shall be solely against the assets of such land bank agency.

10. Vote by proxy shall not be permitted. Any member may request a recorded vote on any resolution or action of the land bank agency.

141.982. A land bank agency may employ a secretary, an executive director, its own counsel and legal staff, and such technical experts, and such other agents and employees, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation and benefits of such persons. A land bank agency may also enter into contracts and agreements with political subdivisions for staffing services to be provided to the land bank agency by political subdivisions or agencies or departments thereof, or for a land bank agency to provide such staffing services to political subdivisions or agencies or departments thereof.

141.983. Subject to the other provisions of this chapter and all other applicable laws, a land bank agency established under this chapter shall have all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this chapter as they relate to a land bank agency, including the following powers in addition to those herein otherwise granted:

- (1) To adopt, amend, and repeal bylaws for the regulation of its affairs and the conduct of its business;
- (2) To sue and be sued, in its own name, and plead and be impleaded in all civil actions, including, but not limited to, actions to clear title to property of the land bank agency;
- (3) To adopt a seal and to alter the same at pleasure;
- (4) To receive funds as grants from or to borrow from political subdivisions, the state, the federal government, or any other public or private sources;
- (5) To issue notes and other obligations according to the provisions of this chapter;
- (6) To procure insurance or guarantees from political subdivisions, the state, the federal government, or any other public or private sources, of the payment of any bond, note, loan, or other obligation, or portion thereof, incurred by the land bank agency, and to pay any fees or premiums in connection therewith;
- (7) To enter into contracts and other instruments necessary, incidental, or convenient to the performance of its duties and the exercise of its powers, including, but not limited to, agreements with other land bank agencies and with political subdivisions for the joint exercise of powers under this chapter;
- (8) To enter into contracts and other instruments necessary, incidental, or convenient to the performance of functions by the land bank agency on behalf of political subdivisions, or agencies or departments of political

subdivisions, or the performance by political subdivisions, or agencies or departments of political subdivisions, of functions on behalf of the land bank agency;

(9) To make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the land bank agency; and any contract or instrument when signed by the chair or vice-chair of the land bank agency, or by an authorized use of their facsimile signatures, and by the secretary or assistant secretary, or, treasurer or assistant treasurer of the land bank agency, or by an authorized use of their facsimile signatures, shall be held to have been properly executed for and on its behalf;

(10) To procure insurance against losses in connection with the property, assets, or activities of the land bank agency;

(11) To invest the money of the land bank agency, including amounts deposited in reserve or sinking funds, at the discretion of the board, in instruments, obligations, securities, or property determined proper by the board, and name and use depositories for its money;

(12) To enter into contracts for the management of, the collection of rent from, or the sale of the property of the land bank agency;

(13) To design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate, equip, furnish, and otherwise improve real property or rights or interests in real property held by the land bank agency;

(14) To fix, charge, and collect rents, fees, and charges for the use of the property of the land bank agency and for services provided by the land bank agency;

(15) Subject to the limitation set forth in subsection 1 of section 141.980, to acquire property, whether by purchase, exchange, gift, lease, or otherwise, to grant or acquire licenses and easements, and to sell, lease, grant an option with respect to, or otherwise dispose of, any property of the land bank agency;

(16) Subject to the limitation set forth in subsection 1 of section 141.980, to enter into partnership, joint ventures, and other collaborative relationships with political subdivisions and other public and private entities for the ownership, management, development, and disposition of real property; and

(17) Subject to the other provisions of this chapter and all other applicable laws, to do all other things necessary or convenient to achieve the objectives and purposes of the land bank agency or other laws that relate to the purposes and responsibility of the land bank agency.

141.984. 1. Within one year of the effective date of the ordinance or resolution passed establishing a land bank agency under this chapter, title to any real property held by a land trust created pursuant to section 141.700 that is located wholly within the municipality that created the land bank agency shall be transferred by deed to such land bank agency.

2. The income of a land bank agency shall be exempt from all taxation by the state and by any of its political subdivisions. Upon acquiring title to any real estate, a land bank agency shall immediately notify the county assessor and the collector of such ownership, and such real estate shall be exempt from all taxation during the land bank agency's ownership thereof, in the same manner and to the same extent as any other publicly owned real estate, and upon the sale or other disposition of any real estate held by it, such land bank agency shall immediately notify the county assessor and the collector of such change of ownership; provided however, that such tax exemption for improved and occupied real property held by such land bank agency as lessor pursuant to a ground lease shall terminate upon the first such occupancy, and such land bank agency shall immediately notify the county assessor and the collector of such occupancy.

3. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may acquire real property or interests in property by gift, devise, transfer, exchange, foreclosure, lease, purchase, or otherwise on terms and conditions and in a manner the land bank agency considers proper.

4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may acquire property by purchase contracts, lease purchase agreements, installment sales contracts, and land contracts, and may accept transfers from political subdivisions upon such terms and conditions as agreed to by the land bank agency and the political subdivision. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may bid on any parcel of real estate offered for sale at a sheriff's foreclosure sale held in accordance with section 141.550 provided that if the bid is not a deemed bid under subsection 3 of section 141.560, such parcel must be located within a low to moderate income area designated as a target area for revitalization by the municipality that created the land bank agency. Notwithstanding any other law to the contrary, but subject to the limitation set forth in subsection 1 of section 141.980, any political subdivision may transfer to the land bank agency real property and interests in real property of the political subdivision on such terms and conditions and according to such procedures as determined by the political subdivision.

5. A land bank agency shall maintain all of its real property in accordance with the laws and ordinances of the jurisdictions in which the real property is located.

6. Upon confirmation under section 141.580 of a sheriff's foreclosure sale of a parcel of real estate to a land bank agency under subdivision (2) of subsection 2 of section 141.550, said land bank agency shall pay the amount of the land bank agency's bid that exceeds the amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. Such excess shall be applied and distributed in accordance with subsections 3 and 4 of section 141.580, exclusive of subdivision (3) of subsection 3 thereof. Upon such confirmation by the court, the collector shall mark the tax bills included in the judgment as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.

141.985. 1. A land bank agency shall hold in its own name all real property acquired by such land bank agency irrespective of the identity of the transferor of such property.

2. A land bank agency shall maintain and make available for public review and inspection an inventory of all real property held by the land bank agency.

3. The land bank agency shall determine and set forth in policies and procedures of the board the general terms and conditions for consideration to be received by the land bank agency for the transfer of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants, and conditions related to the present and future use of the property, contractual commitments of the transferee, and such other forms of consideration as determined by the board to be in the best interest of the land bank agency.

4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may convey, exchange, sell, transfer, lease, grant, release and demise, pledge and hypothecate any and all interests in, upon or to property of the land bank agency.

5. A municipality may, in its resolution or ordinance creating a land bank agency establish a hierarchical ranking of priorities for the use of real property conveyed by such land bank agency, subject to subsection 7 of this section, including but not limited to:

- (1) Use for purely public spaces and places;
- (2) Use for affordable housing;
- (3) Use for retail, commercial and industrial activities;
- (4) Use as wildlife conservation areas; and
- (5) Such other uses and in such hierarchical order as determined by such municipality.

6. A municipality may, in its resolution or ordinance creating a land bank agency, require that any particular form of disposition of real property, or any disposition of real property located within specified geographical areas, be subject to specified voting and approval requirements of the board that are not inconsistent with section 141.981 or section 141.983. Except and unless restricted or constrained in this manner, the board may delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance and all others related documents pertaining to the conveyance of property by the land bank agency.

7. A land bank agency shall act expeditiously to return the real property acquired by it to the tax rolls and shall market and sell such real property using an open, public method that ensures the best possible price is realized while ensuring such real property is returned to a suitable, productive use for the betterment of the neighborhoods in which such real property is located.

8. When any parcel of real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

- (1) To the payment of the expenses of sale;
- (2) To fulfill the requirements of the resolution, indenture or other financing documents adopted or entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that such requirements may apply with respect to such parcel of real estate;
- (3) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees as provided for in its annual budget;
- (4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, exclusive of net profit from the sale of ancillary parcels, shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing

the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities. Distribution shall be made on January first and July first of each year, and at such other times as the board may determine.

9. When any ancillary parcel is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

- (1) To the payment of all land taxes and related charges then due on such parcel;
- (2) To the payment of the expenses of sale;
- (3) To fulfill the requirements of the resolution, indenture or other financing documents adopted or entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that such requirements may apply with respect to such parcel of real estate;
- (4) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees as provided for in its annual budget;
- (5) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, may be paid in accordance with subdivision (3) of subsection 8 of this section.

141.988. 1. A land bank agency may receive funding through grants and loans from political subdivisions, from the state, from the federal government, and from other public and private sources.

2. Except as otherwise provided in subsections 8 and 9 of section 141.985, a land bank agency may receive and retain payments for services rendered, for rents and leasehold payments received, for consideration for disposition of real and personal property, for proceeds of insurance coverage for losses incurred, for income from investments, and for any other asset and activity lawfully permitted to a land bank agency under this chapter.

3. If a land bank agency sells or otherwise disposes of a parcel of real estate held by it, any land taxes assessed against such parcel for the three tax years following such sale or disposition by such land bank agency that are collected by the collector in a calendar year and not refunded, less the fees provided under section 52.260 and subsection 4 of this section and less the amounts to be deducted under section 137.720, shall be distributed by the collector to such land bank agency no later than March 1 of the following calendar year; provided that land taxes impounded under section 139.031 or otherwise paid under protest shall not be subject to distribution under this subsection. Any amount required to be distributed to a land bank agency under this subsection shall be subject to offset for amounts previously distributed to such land bank agency that were assessed, collected or distributed in error.

4. In addition to any other provisions of law related to collection fees, the collector shall collect on behalf of the county a fee of four percent of reserve period taxes collected and such fees collected shall be deposited in the county general fund.

141.991. There shall be an annual audit of the affairs, accounts, expenses, and financial transactions of a land bank agency by certified public accountants as of April thirtieth of each year, which accountants shall be employed by the commissioners on or before March first of each year, and certified copies thereof shall be furnished to the appointing authorities described in section 141.981, and shall be available for public inspection at the office of the land bank agency. In addition to the annual audit provided for in this subdivision, the land bank agency may be performance audited at any time by the state auditor or by the auditor of the municipality that established the land bank agency. The cost of such audit shall be paid by the land bank agency, and copies shall be made available to the public within thirty days of the completion of the audit.

141.994. 1. A land bank agency shall have power to issue bonds, with approval of the municipality that created the land bank agency, for any of its corporate purposes, which bonds shall be special, limited obligations of the land bank agency, the principal of and interest on which shall be payable solely from the income and revenue derived from the sale, lease, or other disposition of the assets of the land bank agency, or such portion thereof as may be designated in the resolution, indenture or other financing documents relating to the issuance of the bonds. In the discretion of the land bank agency, any of such bonds may be secured by a pledge of additional revenues, including grants, contributions or guarantees from the state, the federal government, or any agency or instrumentality thereof, or by a mortgage or other security device covering all or part of the property from which the revenues so pledged may be derived.

2. Bonds issued by a land bank agency shall not be deemed to be an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The bonds shall not constitute a debt, liability or obligation of the state or of any political subdivision thereof, except in accordance with subsection 4 of this section, or a pledge of the full faith and credit or the taxing power of the state or of any such political subdivision, and the bonds shall contain a recital to that effect. Neither the members of the board nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof.

3. Bonds issued by a land bank agency shall be authorized by resolution of the board and shall be issued in such form, shall be in such denominations, shall bear interest at such rate or rates, shall mature on such dates and in such manner, shall be subject to redemption at such times and on such terms, and shall be executed by one or more members of the board, as provided in the resolution authorizing the issuance thereof or as set out in the indenture or other financing document authorized and approved by such resolution. The board may sell such bonds in such manner, either at public or at private sale, and for such price as it may determine to be in the best interests of the land bank agency.

4. Any political subdivision may elect to guarantee, insure, or otherwise become primarily or secondarily obligated with respect to the bonds issued by a land bank agency subject, however, to the provisions of Missouri law applicable to the incurrence of indebtedness by such political subdivision. No political subdivision shall have any such obligation if it does not so elect.

5. A land bank agency may from time to time, as authorized by resolution of the board, issue refunding bonds for the purpose of refunding, extending and unifying all or any part of its valid outstanding bonds. Such refunding bonds may be payable from any of the sources identified in subsections 1 and 4 of this section, and from the investment of any of the proceeds of the refunding bonds.

6. The bonds issued by a land bank agency shall be negotiable instruments pursuant to the provisions of the uniform commercial code of the state of Missouri.

7. Bonds issued pursuant to this section and all income or interest thereon shall be exempt from all state taxes, except estate and transfer taxes.

8. A land bank agency shall have the power to issue temporary notes upon the same terms and subject to all provisions and restrictions applicable to bonds under this section. Such notes issued by a land bank agency may be refunded by notes or bonds authorized under this section.

141.997. Except as otherwise provided under Missouri law, all board meetings shall be open to the public and the board shall cause minutes and a record to be kept of all its proceedings. The land bank agency shall be subject to the provisions of chapter 610, chapter 109, and any other applicable provisions of law governing public records and public meetings.

141.1000. Neither the members of the board nor any salaried employee of a land bank agency shall receive any compensation, emolument, or other profit directly or indirectly from the rental, management, acquisition, sale, demolition, repair, rehabilitation, use, operation, ownership or disposition of any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015. Neither the members of the board nor any salaried employee of a land bank agency shall own, directly or indirectly, any legal or equitable interest in or to any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015. A violation of this section is a felony. Any person found guilty of violating this section shall be sentenced to a term of imprisonment of not less than two nor more than five years. The board of a land bank agency may adopt supplemental rules and regulations addressing potential conflicts of interest and ethical guidelines for members of the board and land bank agency employees, provided that such rules and regulations are not inconsistent with this chapter or any other applicable law.

141.1003. Except as otherwise expressly set forth in this chapter, in the exercise of its powers and duties under this chapter and its powers relating to property held by the land bank agency, the land bank agency shall have complete control of such property as fully and completely as if it were a private property owner.

141.1006. 1. Whenever any ancillary parcel is acquired by a land bank agency and is encumbered by a lien or claim for real property taxes owed to a taxing authority, such taxing authority may elect to contribute to the land bank agency all or any portion of such taxes that are distributed to and received by such taxing authority.

2. To the extent that a land bank agency receives payments or credits of any kind attributable to liens or claims for real property taxes owed to a taxing authority, the land bank agency shall remit the full amount of the payments to the collector for distribution to the appropriate taxing authority.

141.1009. 1. A land bank agency shall be authorized to file an action to quiet title pursuant to section 527.150 as to any real property in which the land bank agency has an interest. For purposes of any and all such actions the land bank agency shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land bank agency as adequate petitioner in such action.

2. Prior to the filing of an action to quiet title the land bank agency shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the petition to quiet title shall be provided to all such interested parties by the following methods:

(1) Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by first class mail, addressed to "Occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located; and

(5) Such other methods as the court may order.

3. As part of the petition to quiet title the land bank agency shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

4. The court shall schedule a hearing on the petition within ninety days following filing of the petition, and as to all matters upon which an answer was not filed by an interested party the court shall issue its final judgment within one hundred twenty days of the filing of the petition.

5. A land bank agency shall be authorized to join in a single petition to quiet title one or more parcels of real property.

141.1012. A land bank agency may be dissolved as a public body corporate and politic not less than sixty calendar days after an ordinance or resolution for such dissolution is passed by the municipality that established the land bank agency. Not less than sixty calendar days advance written notice of consideration of such an ordinance or resolution of dissolution shall be given to the members of the board of the land bank agency, shall be published in a local newspaper of general circulation within such municipality, and shall be sent certified mail to each trustee of any outstanding bonds of the land bank agency. No land bank agency shall be dissolved while there remains outstanding any bonds, notes, or other obligations of the land bank agency unless such bonds, notes, or other obligations are paid or defeased pursuant to the resolution, indenture or other financing document under which such bonds, notes, or other obligations were issued prior to or simultaneously with such dissolution. Upon dissolution of a land bank agency pursuant to this section, all real property, personal property, and other assets of the land bank agency shall be transferred by appropriate written instrument to and shall become the assets of the municipality that established the land bank agency. Such municipality shall act expeditiously to return such real property to the tax rolls and shall market and sell such real property using an open, public method that ensures the best possible prices are realized while ensuring such real property is returned to a suitable, productive use for the betterment of the neighborhoods in which such real property is located. Any such real property that was acquired by the dissolved land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 shall be held by such municipality in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure, and upon the sale or other disposition of any such property by such municipality, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of the expenses of sale;

(2) To the reasonable costs incurred by such municipality in maintaining and marketing such property; and

(3) The balance shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed.

141.1015. A land bank agency shall neither possess nor exercise the power of eminent domain. A land bank agency shall not have the power to tax."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schupp raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Torpey, **House Amendment No. 4** was adopted.

Representative Marshall offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 33.087, Line 28, by inserting after all of said section and line the following:

"33.089. 1. Every department and division of this state that receives any grant of federal funds shall determine whether or not any or all of such funds can be used for the alternatives to abortion services program established in section 188.325 or the alternatives to abortion public awareness program established in section 188.335. Federal funds for which such determination shall be made shall include, but not be limited to: maternal and child health block grant; social services block grant; community development block grant; temporary assistance for needy families; community services block grant; head start; pregnancy assistance fund program; maternal, infant, and early childhood home visiting program; community-based child abuse prevention grants; child care and development block grant; promoting safe and stable families; abandoned infants; infant adoption awareness training; healthy start initiative; healthy marriage promotion and responsible fatherhood grants; and any successor funds.

2. At least annually, and by a date or dates specified by the office of administration so as to assist in budgeting and planning for every fiscal year, each such department and division shall submit its determination to the office of administration on the use of such federal funds for the alternatives to abortion services program or the alternatives to abortion public awareness program. The office of administration shall compile this information and submit it to the chairman of the senate appropriations committee and the chairman of the house budget committee, and shall also make such information easily available to the public on the Missouri accountability portal established in section 37.850."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 5** was adopted.

Representative Smith (150) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 37.850, Line 20, by inserting after all of said section and line the following:

"37.853. 1. The office of administration shall maintain municipal government, including any city not within a county, accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and

comprehensive database of municipal government, including any city not within a county, financial information as a means of creating better public understanding of municipal government, including any city not within a county, practices and operations.

2. Individual municipal governmental, including any city not within a county, entities shall collect and transmit to the office of administration, by electronic mail or United States postal mail, the public information applicable to all municipal government, including any city not within a county, as provided in this section. Notwithstanding any other provision of law or rule to the contrary, municipal governmental, including any city not within a county, entities that provide the annual report required under section 105.145 to the office of administration are not required to provide a copy of the report to the state auditor.

3. Municipal governmental, including any city not within a county, entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145.

4. This section shall become effective December 31, 2012.

37.855. 1. The office of administration shall maintain public school accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of school district and charter school financial information as a means of creating better public understanding of public school practices and operations.

2. The department of elementary and secondary education shall annually collect and transmit to the office of administration the public information regarding school districts and public charter schools as provided in this section.

3. School districts and public charter schools shall annually provide the department of elementary and secondary education with detailed compensation information for all school employees, including all extra duty compensation and all employee benefits, and the district's annual operating budget and bonded indebtedness. The department shall provide all information required under this subsection to the office of administration by electronic mail or United States postal mail.

4. This section shall become effective June 30, 2013.

37.857. 1. The office of administration shall maintain county government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of county government financial information as a means of creating better public understanding of county government practices and operations.

2. Individual county governmental entities shall collect annually and transmit, by electronic mail or United States postal mail, to the office of administration the public information applicable to all county governments as provided in this section.

3. Specifically, the county government shall annually provide to the office of administration detailed compensation information for all elected county officials, including all extra duty compensation and all employee benefits, a copy of the detailed financial statement required under section 50.800, and any cash reserves. In addition to bonded debt, the county shall disclose any expenditures made pursuant to a real property lease, specifying the nature and duration of the lease. The office of administration may establish clear standards for budget format and detail, to ensure that all county government budgets contain all necessary information. Notwithstanding any other provision of law or rule to the contrary, any information reported annually to the office of administration under this section shall not be required to be reported to the state auditor.

4. This section shall become effective December 31, 2013.”; and

Further amend said bill and page, Section B, Line 2, by inserting immediately after the word “funds,” the following:

“the enactment of section 33.087 and the repeal and reenactment of section 37.850 of”; and

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Further amend said bill, Page 3, Section B, Line 4, by inserting immediately after the words “constitution, and” the following:

“the enactment of section 33.087 and the repeal and reenactment of section 37.850 of”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 6** was adopted.

Representative Dieckhaus moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 050

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Colona	Flanigan	Hampton
Jones 63	Lampe	Largent	Nasheed	Pollock
Shumake	Sifton	Webber	Wyatt	Mr Speaker

On motion of Representative Cox, **HCS SS SCS SB 467, as amended**, was adopted.

On motion of Representative Cox, **HCS SS SCS SB 467, as amended**, was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McGhee	McManus	McNary	Molendorp
Montecillo	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 029

Atkins	Carter	Conway 27	Ellinger	Hodges
Hubbard	Hummel	Kirkton	Lasater	May
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Scharnhorst	Schieffer	Schupp	Smith 71
Spreng	Swearingen	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Aull	Brown 116	Colona	Flanigan
Hughes	Jones 63	Largent	Sifton	Webber
Wyatt	Mr Speaker			

Representative Diehl declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 105

Allen	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Lair
Lant	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McGhee	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 047

Anders	Atkins	Carlson	Carter	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hughes	Hummel	Kirkton	Kratky
Lampe	Lasater	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Scharnhorst
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 011

Asbury	Aull	Colona	Flanigan	Jones 63
Largent	McNary	Sifton	Webber	Wyatt
Mr Speaker				

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 1128**, entitled:

An act to amend chapters 9 and 41, RSMo, by adding thereto five new sections relating to military honors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878**, entitled:

An act to repeal sections 143.1009, 301.3084, and 301.3161, RSMo, and to enact in lieu thereof twenty-four new sections relating to transportation.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1807, House Bill No. 1093, House Bill No. 1107, House Bill No. 1156, House Bill No. 1221, House Bill No. 1261, House Bill No. 1269, House Bill No. 1641, House Bill No. 1668, House Bill No. 1737, House Bill No. 1782, House Bill No. 1868 & House Bill No. 1878, Page 6, Section 227.514, Line 11, by inserting immediately after said line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest

products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor

vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is [sixty] **sixty-four** inches or less in width, with an unladen dry weight of [one] **two** thousand [eight hundred fifty] pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semi-trailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 31, Section 301.4045, Line 26, by inserting after said line the following:

"304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1807, House Bill No. 1093, House Bill No. 1107, House Bill No. 1156, House Bill No. 1221, House Bill No. 1261, House Bill No. 1269, House Bill No. 1641, House Bill No. 1668, House Bill No. 1737, House Bill No. 1782, House Bill No. 1868 & House Bill No. 1878, Page 6, Section 227.514, Line 11 of said page, by inserting after all said line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number" (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be [displayed] **a plate, or**, on each side of such motor vehicle, [in] letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary

on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1807, House Bill No. 1093, House Bill No. 1107, House Bill No. 1156, House Bill No. 1221, House Bill No. 1261, House Bill No. 1269, House Bill No. 1641, House Bill No. 1668, House Bill No. 1737, House Bill No. 1782, House Bill No. 1868 & House Bill No. 1878, Page 16, Section 301.3161, Line 9, by inserting immediately after said line the following:

"301.3163. Any person may apply for [special] **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the [special] **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the [advisory committee established in section 301.129] **director**, with the words "DON'T TREAD ON ME" [in place of the words "SHOW-ME STATE"] **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsen Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."**; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1245 - Fiscal Review
HCS HB 1639 - Fiscal Review
HCS HB 1710 - Fiscal Review
HCS HB 1854 - Fiscal Review

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SCS SJR 51 - Special Standing Committee on Judicial Reform

REFERRAL OF SENATE BILL

HCS SCS SB 591 - Fiscal Review

COMMITTEE REPORTS

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HCR 57**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 57

WHEREAS, the fiscal stability of the State of Missouri and its political subdivisions is dependent upon an efficient and productive use of available resources; and

WHEREAS, periodic review of the function, duties, and use of appropriations for state agencies and political subdivisions is necessary to ensure the best use of state and local revenues; and

WHEREAS, it is the duty and function of the General Assembly to evaluate the distribution of fiscal, capital, and personnel resources across state agencies and political subdivisions to determine if a realignment of functions of state agencies and political subdivisions would result in a fiscal benefit and a more efficient and productive use of personnel and resources:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby establish the "Committee on Fiscal Responsibility and Realignment of Political Subdivisions" to evaluate the distribution of fiscal, capital, and personnel resources across state agencies and political subdivisions to determine if any fiscal benefit would result from realignment of functions of state agencies and political subdivisions; and

BE IT FURTHER RESOLVED that the committee shall consist of eight voting members, including four members appointed from the house of representatives, with two members selected from each political party, and four members appointed from the senate, with two members selected from each political party; and five nonvoting members, including the commissioner of the office of administration, and two former representatives and two former senators, all whom have experience serving on appropriation committees while members of the general assembly. Both voting and nonvoting members shall be appointed by the governor with the advice and consent of the senate. Each member of the committee shall be a citizen of the United States and a resident of this state; and

BE IT FURTHER RESOLVED that the committee shall:

- (1) Determine relevant data and create a method of evaluation;
- (2) Evaluate potential benefits and detriments of realignment of resources of state agencies and political subdivisions identified; suggest methods to achieve benefits through policy changes and state law; and

BE IT FURTHER RESOLVED that the committee shall report its findings each year in the month of December to the general assembly and the governor; and

BE IT FURTHER RESOLVED that each member of the committee shall be reimbursed for necessary and actual expenses incurred in the performance of his or her official duties. All staff for the committee shall be provided by the research offices of both chambers of the general assembly and the joint committee on legislative research.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 2106**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SS SCS SB 576**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 668**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SS SCS SB 682**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 504**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 648**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 701**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **SS SB 769**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SCS SBs 484, 477 & 606**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Governmental Affairs, Chairman Schneider reporting:

Mr. Speaker: Your Special Standing Committee on Governmental Affairs, to which was referred **SCS SB 510**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, May 3, 2012.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE

Thursday, May 3, 2012, 8:00 AM House Lounge.

Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 3, 2012, 9:00 AM South Gallery.

Public hearing will be held: HCS SB 455

Executive session will be held: HCS SB 455

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

GENERAL LAWS

Thursday, May 3, 2012, 9:30 AM North Gallery.

Executive session may be held on any matter referred to the committee.

Executive session will be held

HEALTH CARE POLICY

Thursday, May 3, 2012, 12:00 PM or Upon Adjournment House Hearing Room 3.

Executive session will be held: SS SB 742

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 8, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Monday, May 7, 2012, Upon Evening Adjournment, 516 S. Country Club Drive.

Executive session may be held on any matter referred to the committee.

RETIREMENT

Tuesday, May 8, 2012, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 625

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, May 3, 2012, 11:30 AM or Upon Morning Adjournment North Gallery.

Executive session will be held: HB 1144, HB 1394, HB 1456, HCS HB 1609, HCS HB 1612, HB 2038, HCS SCS SB 485, HCS SCS SB 563, SB 599, HCS SCS SB 631, HCS SB 667, HCS SCS SB 673, SCS SB 715, HCS SCS SB 729, HCS SB 813, HCS SCS SB 856, SCS SB 789

Executive session may be held on any or all bills referred to this committee

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Thursday, May 3, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Executive session on previously referred bills

TOURISM AND NATURAL RESOURCES

Thursday, May 3, 2012, 8:30 AM House Hearing Room 7.

Public hearing will be held: SB 760

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-SEVENTH DAY, THURSDAY, MAY 3, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant
- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough
- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin
- 20 HB 1357 - Gatschenberger
- 21 HCS HB 1846 - Long
- 22 HCS HB 1585 - Cross
- 23 HCS HB 1971 - Schneider
- 24 HB 1690 - May

- 25 HB 1728 - Johnson
- 26 HB 1790 - Torpey
- 27 HCS HB 1970 - Jones (117)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1328 - Cox
- 2 HCS HB 1922 - Molendorp
- 3 HCS HB 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee
- 3 HB 1455 - Gatschenberger
- 4 HCS HB 1803 - Korman
- 5 HCS HB 1900 - Redmon
- 6 HCS HB 1710, (Fiscal Review 5/2/12) - Hough
- 7 HCS HB 1245, (Fiscal Review 5/2/12) - Lauer
- 8 HCS HB 1049 - Allen
- 9 HCS HB 1854, (Fiscal Review 5/2/12) - Grisamore
- 10 HCS HB 1639, (Fiscal Review 5/2/12), E.C. - Nolte
- 11 HCS HB 1526 - Dieckhaus

HOUSE BILLS FOR THIRD READING - INFORMAL

- 1 HB 1277 - Long
- 2 HB 1431 - Hoskins

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HCS HB 1988 - Brandom

SENATE BILLS FOR SECOND READING

- 1 SCS SB 788
- 2 SCS SB 835

SENATE BILLS FOR THIRD READING

- 1 HCS SB 455, (Fiscal Review 4/26/12) - Thomson
- 2 SCS SB 566 - Jones (117)
- 3 HCS SB 578 - Cox
- 4 SS SCS SB 699 - Fuhr
- 5 SCS SB 837 - Jones (117)
- 6 HCS SS SCS SB 469 - Smith (150)
- 7 HCS SS SCS SB 470 - Burlison
- 8 HCS SS SCS SB 595, E.C. - Torpey
- 9 HCS SCS SB 591, (Fiscal Review 5/2/12) - Franz
- 10 HCS SB 620 - Gosen
- 11 HCS SB 628 - Kelly (24)
- 12 HCS SCS SB 635 - Phillips
- 13 HCS SB 636 - Diehl
- 14 SS SB 665 - Asbury
- 15 HCS SCS SB 726 - Wells
- 16 SS SCS SB 689 - Schad

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HB 1106, as amended - Dugger
- 2 HB 1188, SCA 1 - Allen
- 3 SCS HCS HB 1495 - Nance
- 4 SCS HB 1112 - Gosen
- 5 SCS HCS HB 1042, as amended - Thomson
- 6 SCS HB 1504, as amended - Richardson
- 7 SS SCS HB 1073 and HCS HB 1477, as amended - Sater
- 8 SS SCS HCS HB 1400, E.C. - Richardson
- 9 HB 1250, SA 1 & SA 2 - Ruzicka
- 10 SS SCS HB 1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB 1269, HB 1641,
HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878, as amended - Marshall
- 11 SS HB 1128 - Largent

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SB 569, as amended, (request House recede/grant conference) - Dugger
- 2 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 (request
House recede/grant conference) - Stream
- 3 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6
(request House recede/grant conference, E.C. - Brown (116)

BILLS IN CONFERENCE

- 1 HCS SB 568, as amended, E.C. - Franz
- 2 SS SCS HCS HB 2002 - Silvey
- 3 SS SCS HCS HB 2003 - Silvey
- 4 SS SCS HCS HB 2004 - Silvey
- 5 SS SCS HCS HB 2005 - Silvey
- 6 SS SCS HCS HB 2006, as amended - Silvey
- 7 SS SCS HCS HB 2007 - Silvey
- 8 SS SCS HCS HB 2008 - Silvey
- 9 SS SCS HCS HB 2009 - Silvey
- 10 SS SCS HCS HB 2010 - Silvey
- 11 SS SCS HCS HB 2011, as amended - Silvey
- 12 SS SCS HCS HB 2012 - Silvey
- 13 SS SCS HCS HB 2013 - Silvey
- 14 SB 564, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl
- 3 SCR 25 - Hampton

HOUSE RESOLUTIONS

HR 1880 - Burlison

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, THURSDAY, MAY 3, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Cantor Seth Warner, Congregation Shar'are Emith, St. Louis, MO.

Eternal God, God of all generations, God of the past, the present and our future, we are humbled by the miracles of the world that is in our care. We know well that You have placed within each of us the strong and yearning desire to affect change in our world and we accept that challenge with great joy. We also know well that You have placed within us different perspectives, different values and different priorities. As we struggle to find the balance in our own lives and in our state government, help us, God, be ever mindful of those who disagree with us, those who look at the same situation through a different lens. Given that we are all Your humble servants, our disagreements and different points of view can serve to strengthen our government, our laws, our great State of Missouri and our individual households. When we struggle with difficult decisions, we are aware that while there may be differences of opinion – and sometimes diametrically opposing ones – we are a part of a society that values good, justice and peace and that our differences are what makes democracy and our government the pinnacle and envy of the world.

Let the trust that You have put in us be our guide so that we continue to strive for wholeness and peace. May the work of this body find Your holiness in the struggle to find balance in Missouri's government such that fairness, equality and responsibility wrap and encircle each discourse, discussion and decision.

Guide these fine men and women in making decisions that are ever worthy of Your blessing and let their hearts and minds be free to use the good and wholesome soul that You have placed within us.

The Pledge of Allegiance to the flag was recited.

Cantor Warner sang "God Bless America".

U.S. Senator Roy Blunt addressed the House.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kaylin Rose, Nicklaus Martin, Alexandria Karnes and Corbin David Schaffter.

The Journal of the sixty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2857 through House Resolution No. 2916

SECOND READING OF SENATE BILLS

SCS SB 788 and **SCS SB 835** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Acting Chairman Wells reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1245**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1639**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1710**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SB 455**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILL

HCS HB 1245, relating to the Tax Credits and Quality Jobs Act, was taken up by Representative Zerr.

On motion of Representative Zerr, **HCS HB 1245** was read the third time and passed by the following vote:

AYES: 134

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cox
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer

Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 017

Asbury	Bahr	Barnes	Brattin	Conway 14
Curtman	Franklin	Keeney	Kirkton	Koenig
Lasater	Marshall	McCreery	Newman	Oxford
Schieber	White			

PRESENT: 000

ABSENT WITH LEAVE: 012

Cookson	Crawford	Ellington	Frederick	Jones 63
Lauer	Leach	McGhee	Nolte	Parkinson
Sifton	Webber			

Speaker Tilley declared the bill passed.

THIRD READING OF SENATE BILL

SCS SB 837, relating to liquor wholesaler franchises, was taken up by Representative Jones (117).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Day	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

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NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hughes	Hummel	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Davis	Elmer	Frederick	Funderburk
Holsman	Jones 63	Kelley 126	Lauer	McGhee
Schneider	Sifton	Stream	Wells	

On motion of Representative Jones (117), **SCS SB 837** was truly agreed to and finally passed by the following vote:

AYES: 095

Allen	Atkins	Barnes	Bernskoetter	Berry
Brandom	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cierpiot	Conway 27	Cookson
Cox	Cross	Day	Diehl	Ellinger
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Fuhr	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Hough	Hubbard	Hughes	Hummel
Jones 89	Jones 117	Kander	Keeney	Kratky
Lair	Lampe	Largent	Lichtenegger	Long
May	McCann Beatty	McDonald	McManus	McNary
Meadows	Molendorp	Montecillo	Morgan	Nasheed
Neth	Nichols	Nolte	Oxford	Pace
Pierson	Quinn	Redmon	Richardson	Rizzo
Rowland	Scharnhorst	Schoeller	Schupp	Shively
Silvey	Smith 71	Smith 150	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Torpey	Wallingford	Walton Gray	Webb
Webber	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Asbury	Aull	Bahr	Black
Brattin	Brown 85	Cauthorn	Colona	Conway 14
Crawford	Curtman	Davis	Dieckhaus	Dugger
Entlicher	Fallert	Franz	Harris	Houghton
Johnson	Kirkton	Klippenstein	Koenig	Korman
Lant	Lasater	Leach	Leara	Loehner
Marshall	McCaherty	McCreery	McGeoghegan	McNeil
Nance	Newman	Phillips	Pollock	Reiboldt

Riddle	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Solon	Thomson	Weter
White				

PRESENT: 002

Gosen	Kelly 24
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ABSENT WITH LEAVE: 015

Denison	Ellington	Elmer	Frederick	Holsman
Jones 63	Kelley 126	Lauer	McGhee	Parkinson
Schneider	Shumake	Sifton	Wells	Wright

Speaker Tilley declared the bill passed.

Representative Keeney assumed the Chair.

THIRD READING OF HOUSE BILL

HCS HB 1526, relating to school personnel, was taken up by Representative Dieckhaus.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman

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Hubbard	Hughes	Hummel	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50	Jones 63	Lauer	Sifton	Webber
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Speaker Tilley resumed the Chair.

On motion of Representative Dieckhaus, **HCS HB 1526** was read the third time and passed by the following vote:

AYES: 083

Allen	Bahr	Barnes	Bernskoetter	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Cierpiot	Conway 14	Cookson	Cox
Cross	Curtman	Davis	Day	Dieckhaus
Diehl	Elmer	Flanigan	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Higdon	Hinson	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Klippenstein	Koenig	Korman	Lair	Lant
Leach	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Nasheed	Neth	Nolte
Parkinson	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Sommer	Stream	Talboy
Thomson	Torpey	Wallingford	Webb	White
Wyatt	Zerr	Mr Speaker		

NOES: 076

Anders	Asbury	Atkins	Aull	Berry
Black	Carlson	Casey	Cauthorn	Colona
Conway 27	Crawford	Denison	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Frederick	Hampton	Harris
Hodges	Holsman	Hoskins	Hughes	Hummel
Kander	Kelley 126	Kelly 24	Kirkton	Kratky
Lampe	Largent	Lasater	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71

Solon	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Wells	Weter	Wieland
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Jones 63	Lauer	Sifton	Webber
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Speaker Tilley declared the bill passed.

RECESS

On motion of Representative Jones (89), the House recessed until 12:50 p.m.

The hour of recess having expired, the House was called to order by Representative Diehl.

THIRD READING OF HOUSE BILLS

HCS HB 1803, relating to certified school social workers, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1803** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 116	Burlison	Carlson	Casey
Cauthorn	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Lasater	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still

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Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 007

Brown 85	Cierpiot	Fisher	Fuhr	Kirkton
Lair	Pollock			

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 50	Carter	Curtman	Day
Frederick	Guernsey	Holsman	Houghton	Jones 63
Largent	Lauer	May	McNary	Redmon
Riddle	Sifton	Walton Gray	Webb	Webber
Zerr				

Representative Diehl declared the bill passed.

HB 1455, relating to economic development, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 1455** was read the third time and passed by the following vote:

AYES: 116

Anders	Atkins	Aull	Bernskoetter	Berry
Black	Brandom	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Kander	Kelley 126	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leara
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Walton Gray	Weter	White	Wieland	Wright
Mr Speaker				

NOES: 030

Asbury	Bahr	Barnes	Brattin	Brown 85
Burlison	Conway 14	Curtman	Dugger	Franklin
Franz	Fuhr	Guernsey	Keeney	Kirkton
Klippenstein	Koenig	Leach	Lichtenegger	Marshall
McCreery	Oxford	Parkinson	Pollock	Sater
Schad	Schieber	Wallingford	Wells	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Brown 50	Carter	Day	Frederick
Jones 63	Jones 117	Kelly 24	Lauer	Loehner
May	McNary	Redmon	Sifton	Webb
Webber	Zerr			

Representative Diehl declared the bill passed.

HCS HB 1710, relating to tax credits and work training, was taken up by Representative Hough.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Nance	Neth
Parkinson	Phillips	Pollock	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 048

Anders	Aull	Black	Carlson	Casey
Colona	Conway 27	Ellinger	Fallert	Harris
Hodges	Holsman	Hubbard	Hughes	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe

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McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Carter	Day	Dieckhaus	Ellington
Fitzwater	Frederick	Jones 63	Largent	Lauer
May	McNary	Molendorp	Nolte	Redmon
Schieber	Sifton	Webb	Webber	Zerr
Mr Speaker				

On motion of Representative Hough, **HCS HB 1710** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cox	Crawford	Cross
Davis	Denison	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Weter	Wieland	Wright		

NOES: 021

Asbury	Bahr	Barnes	Brattin	Conway 14
Cookson	Curtman	Dugger	Guernsey	Keeney
Kirkton	Koenig	Lasater	Leach	Marshall
Oxford	Sommer	Still	Wells	White
Wyatt				

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 018

Brown 50	Carter	Day	Dieckhaus	Frederick
Jones 63	Lauer	May	McNary	McNeil
Parkinson	Redmon	Schieber	Sifton	Webb
Webber	Zerr	Mr Speaker		

Representative Diehl declared the bill passed.

HCS HB 1049, relating to bullying in schools, was taken up by Representative Allen.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

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ABSENT WITH LEAVE: 019

Brown 50	Carter	Day	Dieckhaus	Frederick
Jones 63	Lauer	May	McGhee	McNary
McNeil	Parkinson	Redmon	Scharnhorst	Sifton
Webb	Webber	Zerr	Mr Speaker	

On motion of Representative Allen, **HCS HB 1049** was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Carlson	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Ellinger	Ellington	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Lant	Largent	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Molendorp	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Quinn	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Scharnhorst
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Walton Gray	Weter	Wieland	Wright	Wyatt

NOES: 023

Asbury	Bahr	Brattin	Cauthorn	Cox
Curtman	Dugger	Entlicher	Franz	Funderburk
Hampton	Houghton	Klippenstein	Koenig	Lasater
Marshall	Nance	Pollock	Sater	Schatz
Schieber	Wells	White		

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carter	Day	Frederick	Jones 63
Lauer	May	McGhee	McNary	Meadows
Parkinson	Redmon	Riddle	Schad	Sifton
Wallingford	Webb	Webber	Zerr	Mr Speaker

Representative Diehl declared the bill passed.

HCS HB 1639, relating to taxation, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCS HB 1639** was read the third time and passed by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Mr Speaker			

NOES: 046

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Franz	Harris	Hodges	Holsman	Hummel
Kelly 24	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carter	Cox	Cross	Day
Frederick	Jones 63	Lant	Largent	Lasater
Lauer	May	McCaherty	Redmon	Schneider
Sifton	Webb	Webber	Wyatt	Zerr

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Leach	Leara	Lichtenegger	Lochner	Long
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Montecillo
Morgan	Nance	Neth	Newman	Nolte
Oxford	Parkinson	Phillips	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	

NOES: 014

Carlson	Ellinger	Ellington	Franz	Lasater
Marshall	McDonald	Nichols	Pace	Pierson
Pollock	Schieffer	Schupp	Spreng	

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carter	Cox	Day	Frederick
Jones 63	Jones 117	Lant	Largent	Lauer
May	Molendorp	Nasheed	Redmon	Sifton
Webb	Webber	Wyatt	Zerr	Mr Speaker

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HCS HB 1988, relating to real estate appraisal management, was taken up by Representative Brandom.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Carter	Cox	Day	Frederick
Jones 63	Lant	Largent	Lasater	Lauer
May	Nasheed	Redmon	Sifton	Webb
Webber	Wyatt	Zerr		

On motion of Representative Brandom, **HCS HB 1988** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Cross	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lasater	Leara	Lichtenegger
Loehner	Long	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Mr Speaker			

NOES: 011

Asbury	Brattin	Curtman	Davis	Jones 89
Koenig	Leach	Marshall	McCaherty	Parkinson
Schatz				

PRESENT: 002

Ellington	Molendorp
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ABSENT WITH LEAVE: 018

Brown 50	Brown 116	Carter	Cox	Day
Frederick	Hughes	Jones 63	Lant	Lauer
May	Nasheed	Redmon	Sifton	Webb
Webber	Wyatt	Zerr		

Representative Diehl declared the bill passed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 2062 - Agri-Business

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 788 - Special Standing Committee on Judicial Reform

SCS SB 835 - General Laws

SS SB 854 - Special Standing Committee on Government Oversight and Accountability

SB 893 - Crime Prevention and Public Safety

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1877**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SS SCS SB 448**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SCS SB 758**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1834**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 64**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SCS SBs 489 & 637**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SCS SB 633**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 722**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SB 742**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HCR 55**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 55

WHEREAS, the Missouri General Assembly recognizes the critical importance of information technology to the economic growth and competitiveness of Missouri's manufacturing sector; and

WHEREAS, the information technology industry is one of the most vibrant and growing sectors of Missouri's economy, creating new job opportunities every day; and

WHEREAS, the illegal use of unlicensed computer software reduces the profitability of Missouri's information technology industry and leads directly to the loss of jobs; and

WHEREAS, the illegal use of unlicensed computer software undermines the competitiveness of law-abiding Missouri manufacturers that pay for the software they use; and

WHEREAS, software piracy is particularly pervasive in countries with a poor record of enforcing intellectual property laws and other safeguards against unfair competition; and

WHEREAS, Missouri manufacturers deserve to compete on a level playing field in the global marketplace where there is respect for the rule of law and it is enforced:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the President of the United States, the United States Congress, and the Federal Trade Commission to strictly enforce United States trade laws to protect the domestic information technology and manufacturing industries; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly urges the Missouri Attorney General to use whatever power is at his disposal to protect Missouri manufacturers from the unfair conditions that result when they are forced to compete against unscrupulous manufacturers that use stolen information technology in their business operations; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly urges the Governor of the State of Missouri to use whatever power is at his disposal to ensure that state governmental agencies are not doing business with contractors or suppliers that obtain or use illegal software; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Majority and Minority Leaders of the United States Senate and House of Representatives, the Federal Trade Commission, the Missouri Attorney General, the Governor of the State of Missouri, and each member of the Missouri Congressional delegation.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 739**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 692**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Judicial Reform, Chairman Smith (150) reporting:

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **SJR 37**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **SS#2 SJR 48**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1144**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1394**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1456**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1609**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1612**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2038**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 485**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 563**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 599**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 631**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 667**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 673**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 715**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 729**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 729**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 789**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 813**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 856**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 36**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1103**, entitled:

An act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Bill No. 1103, Page 1, Section title, Lines 3-4 of the Title, by striking said lines and inserting in lieu thereof the following:

"real estate appraising, with penalty provisions."; and

Further amend said bill, Pages 1 and 2, Section 339.1115, by striking all of said section and inserting in lieu thereof the following:

"339.500. This act shall be known and may be cited as the "Missouri Certified and Licensed Real Estate Appraisers **and Appraisal Management Company Regulation Act**".

339.501. 1. Beginning July 1, 1999, it shall be unlawful for any person in this state to act as a real estate appraiser, or to directly or indirectly, engage or assume to engage in the business of real estate appraisal or to advertise or hold himself or herself out as engaging in or conducting such business without first obtaining a license or certificate issued by the Missouri real estate appraisers commission as provided in sections 339.500 to 339.549.

2. **Except for licenses issued to appraisal management companies under section 339.511**, no license or certificate shall be issued pursuant to sections 339.500 to 339.549 to a partnership, association, corporation, firm or group; except that, nothing in this section shall preclude a state-licensed or state-certified real estate appraiser from rendering appraisals for, or on behalf of, a partnership, association, corporation, firm or group, provided the appraisal report is prepared by, or under the immediate personal direction of the state-licensed or state-certified real estate appraiser and is reviewed and signed by such state-licensed or state-certified appraiser.

3. Any person who is not state licensed or state certified pursuant to sections 339.500 to 339.549 may assist a state-licensed or state-certified real estate appraiser in the performance of an appraisal; provided that, such person is personally supervised by a state-licensed or state-certified appraiser and provided further that any appraisal report rendered in connection with the appraisal is reviewed and signed by the state-licensed or state-certified real estate appraiser.

4. Nothing in sections 339.500 to 339.549 shall abridge, infringe upon or otherwise restrict the right to use the term "certified ad valorem tax appraiser" or any similar term by persons performing ad valorem tax appraisals.

5. The provisions of sections 339.500 to 339.549 shall not be construed to require a license or certificate for:

(1) Any person, partnership, association or corporation who, as owner, performs appraisals of property owned by such person, partnership, association or corporation;

(2) Any licensed real estate broker or salesperson who prepares a comparative market analysis or a broker price opinion;

(3) Any employee of a local, state or federal agency who performs appraisal services within the scope of his or her employment; except that, this exemption shall not apply where any local, state or federal agency requires an employee to be registered, licensed or certified to perform appraisal services;

(4) Any employee of a federal or state-regulated lending agency or institution;

(5) Any agent of a federal or state-regulated lending agency or institution in a county of third or fourth classification.

339.503. As used in sections 339.500 to 339.549, the following words and phrases mean, unless the context clearly indicates otherwise:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal assignment", an engagement for which a person is employed or retained to act as a disinterested third party in rendering an objective appraisal;

(3) **"Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produces appraisals;**

(4) "Appraisal foundation", the organization of the same name that was incorporated as an Illinois not-for-profit corporation on November 20, 1987, whose operative boards are the appraisal standards board and the appraiser qualifications board;

(5) **"Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;**

(6) **"Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:**

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals performed by appraisers who are part of an appraisal panel;

(e) Conduct quality control of a completed appraisal performed by an appraiser who is part of an appraisal panel prior to the delivery of the appraisal to the person who ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser who is part of an appraisal panel to one or more persons who have ordered an appraisal;

[(4)] (7) "Appraisal report", any communication, written or oral, of an appraisal. The purpose of an appraisal is immaterial, therefore valuation reports, real estate counseling reports, real estate tax counseling reports, real estate offering memoranda, mortgage banking offers, highest and best use studies, market demand and economic feasibility studies and all other reports communicating an appraisal analysis, opinion or conclusion are appraisal reports, regardless of title;

[(5)] (8) "Appraisal standards board (ASB)", the independent board of the appraisal foundation which promulgates the generally accepted standards of the appraisal profession and the uniform standards of professional appraisal practices;

(9) **"Appraiser", an individual who holds a license as a state-licensed real estate appraiser or certification as a state-certified real estate appraiser under sections 339.500 to 339.549;**

(10) **"Appraiser panel", a network of licensed or certified appraisers that have:**

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons who have ordered appraisals through the appraisal management company, or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company, or to perform appraisals for the appraisal management company directly;

[(6)] (11) "Appraiser qualifications board (AQB)", the independent board of the appraisal foundation which establishes minimum experience, education and examination criteria for state licensing of appraisers;

[(7)] (12) "Boat dock", a structure for loading and unloading boats and connecting real property to water, public or private. A boat dock is real property and has riparian rights, provided:

(a) The lender includes the boat dock as a fixture both in the lender's deed of trust and a uniform commercial code fixture filing under section 400.9-502;

(b) The boat dock is attached to the real property by steel cable, bar, or chain that is permanently imbedded in concrete or rock, and otherwise securely attached to the dock; and

(c) The owner of the dock has riparian rights by means of real estate rights bordering the body of water, including such rights by license, grant, or other means allowing access to the body of water, which access may be seasonal because the water may be reduced for electric power production or flood control;

[(8)] (13) "Boat slip" or "watercraft slip", a defined area of water, including the riparian rights to use such area, whether by grant, lease, or license, in accordance with all applicable laws and regulations, which is a part of a boat dock serving a common interest community, including by way of example and not of limitation condominiums and villas; and the exclusive right to such use being allocated as a limited common element or being assigned to an owner of real estate in the common interest community in which the boat dock is located, whether by grant, lease, or otherwise. The rights of the real estate owner in such slip are included as collateral in any deed of trust and uniform commercial code filings of a lender, if any, taking a security interest in the owner's real estate;

[(9)] (14) "Broker price opinion", an opinion of value, prepared by a real estate licensee for a fee, that includes, but is not limited to, analysis of competing properties, comparable sold properties, recommended repairs and costs or suggested marketing techniques. A broker price opinion is not an appraisal and shall specifically state it is not an appraisal;

[(10)] (15) "Certificate", the document issued by the Missouri real estate appraisers commission evidencing that the person named therein has satisfied the requirements for certification as a state-certified real estate appraiser and bearing a certificate number assigned by the commission;

[(11)] (16) "Certificate holder", a person certified by the commission pursuant to the provisions of sections 339.500 to 339.549;

[(12)] (17) "Certified appraisal report", an appraisal prepared or signed by a state-certified real estate appraiser. A certified appraisal report represents to the public that it meets the appraisal standards defined in sections 339.500 to 339.549;

[(13)] (18) "Commission", the Missouri real estate appraisers commission, created in section 339.507;

[(14)] (19) "Comparative market analysis", the analysis of sales of similar recently sold properties in order to derive an indication of the probable sales price of a particular property undertaken by a licensed real estate broker or agent, for his or her principal. A comparative market analysis is not an appraisal and shall specifically state it is not an appraisal;

(20) "Controlling person":

(a) An owner, officer, or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

[(15)] (21) "Disinterested third party" shall not exclude any state-certified real estate appraiser or state-licensed real estate appraiser employed or retained by any bank, savings association, credit union, mortgage banker or other lender to perform appraisal assignments, provided that the appraisal assignments are rendered with respect to loans to be extended by the bank, savings association, credit union, mortgage banker or other lender, and provided further that the state-certified real estate appraiser or state-licensed real estate appraiser is not requested or required to report a predetermined analysis or opinion of value;

[(16)] (22) "License" or "licensure", a license or licensure issued pursuant to the provisions of sections 339.500 to 339.549 evidencing that the person **or other legal entity** named therein has satisfied the requirements for licensure as a state-licensed real estate appraiser **or licensed appraisal management company** and bearing a license number assigned by the commission;

(23) "Licensed appraisal management company", a person or other legal entity who holds a current valid license as a licensed appraisal management company under sections 339.500 to 339.549;

[(17)] (24) "Real estate", an identified parcel or tract of land, including improvements, if any;

[(18)] (25) "Real estate appraiser" or "appraiser", a person who for a fee or valuable consideration develops and communicates real estate appraisals or otherwise gives an opinion of the value of real estate or any interest therein;

[(19)] (26) "Real estate appraising", the practice of developing and communicating real estate appraisals;

[(20)] (27) "Real property", the interests, benefits and rights inherent in the ownership of real estate;

[(21)] (28) "Residential real estate", any parcel of real estate, improved or unimproved, that is primarily residential in nature and that includes or is intended to include a residential structure containing not more than four dwelling units and no other improvements except those which are typical residential improvements that support the

residential use for the location and property type. A residential unit is a condominium, town house or cooperative complex, or a planned unit development is considered to be residential real estate. Subdivisions are not considered residential real estate. Individual parcels of property located within a residential subdivision shall be considered residential property;

[(22)] **(29) "Specialized appraisal services", appraisal services which do not fall within the definition of appraisal assignment. The term "specialized services" may include valuation work and analysis work. Regardless of the intention of the client or employer, if the appraiser is acting as a disinterested third party in rendering an unbiased analysis, opinion or conclusion, the work is classified as an appraisal assignment and not specialized services;**

(30) "State-certified general appraiser trainee", a person who holds a current valid certificate as a state-certified general appraiser trainee issued under sections 339.500 to 339.539;

[(23)] **(31) "State-certified general real estate appraiser", a person who holds a current, valid certificate as a state-certified general real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;**

(32) "State-certified residential appraiser trainee", a person who holds a current valid certificate as a state-certified residential appraiser trainee under sections 339.500 to 339.539;

[(24)] **(33) "State-certified residential real estate appraiser", a person who holds a current, valid certificate as a state-certified residential real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;**

(34) "State-licensed appraiser trainee", a person who holds a current valid license as a state-licensed appraiser trainee under sections 339.500 to 339.549;

[(25)] **(35) "State-licensed real estate appraiser", a person who holds a current, valid license as a state-licensed real estate appraiser pursuant to the provisions of sections 339.500 to 339.549;**

[(26)] **(36) "Subdivision", a tract of land that has been divided into blocks or plots with streets, roadways, open areas and other facilities appropriate to its development as residential, commercial or industrial sites;**

[(27)] **(37) "Temporary appraiser licensure or certification", the issuance of a temporary license or certificate by the commission to a person licensed or certified in another state who enters this state for the purpose of completing a particular appraisal assignment.**

339.505. 1. It shall be unlawful for any person in this state to assume or use the title "state-licensed real estate appraiser" or "state-certified real estate appraiser", or any title, designation or abbreviation likely to create the impression of licensure or certification by the state of Missouri as a real estate appraiser, unless the person has first been licensed or certified by the Missouri real estate appraisers commission pursuant to the provisions of sections 339.500 to 339.549. The commission may adopt for the exclusive use of persons licensed or certified pursuant to sections 339.500 to 339.549, a seal, symbol or other mark identifying the user as a state-licensed or state-certified real estate appraiser.

2. Any person certified as a real estate appraiser by an appraisal trade organization, on August 28, 1998, shall retain the right to use the term "certified" or any similar term in identifying himself or herself to the public; provided that, in each instance wherein such term is used, the name of the certifying organization or body is prominently and conspicuously displayed immediately adjacent to such term, and provided further that the use of such term does not create the impression of certification by the state of Missouri. Nothing in this section shall entitle any person certified only by a trade organization, and not certified or licensed by the state, the right to conduct any appraisal.

3. The term "state-licensed real estate appraiser", "state-certified real estate appraiser" or any similar term shall not be used following or immediately in connection with the name of a partnership, association, corporation or other firm or group or in such manner that it might create the impression of licensure or certification by the state of Missouri as a real estate appraiser.

4. No person shall, directly or indirectly, engage or attempt to engage in the business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.500 to 339.549; except for:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the Missouri department of insurance, financial institutions and professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution;

(3) An appraisal management company that is a subsidiary owned and controlled by a financial institution and regulated by a federal institution regulatory agency;

(4) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing

the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(5) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(6) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.

339.509. The commission shall have the following powers and duties:

(1) To establish educational programs and research projects related to the appraisal of real estate;

(2) To establish administrative procedures for processing applications and issuing **trainee licenses**, certificates of state-certified real estate appraisers [and], licenses of state-licensed real estate appraisers, **and licenses of appraisal management companies**, and for conducting disciplinary proceedings pursuant to the provisions of sections 339.500 to 339.549 **or as required by federal law or regulation**; and shall have authority to determine who meets the criteria for certification and licensure, and shall have authority to renew, censure, suspend or revoke certifications and licenses;

(3) To further define by regulation, with respect to each category of **trainee**, state-certified real estate appraiser, and for state-licensed real estate appraisers **and for appraisal management companies**, the type of educational experience, appraisal experience and equivalent experience, **and other criteria** that will meet the statutory requirements of sections 339.500 to 339.549 **or as required by federal law or regulation**; provided that such standards shall be equivalent to the minimum criteria for certification and licensure issued by the appraiser qualifications board of the appraisal foundation and the provisions of section 339.517 **or as required by federal law or regulation**;

(4) To further define by regulation, with respect to each category of **trainee**, state-certified real estate appraiser, and for state-licensed real estate appraisers, the continuing education requirements for the renewal of certification and licensure that will meet the statutory requirements provided in section 339.530 **or as required by federal law or regulation**;

(5) To adopt standards for the development and communication of real estate appraisals and to adopt regulations explaining and interpreting the standards; provided that such standards shall meet the standards specified by the appraisal standards board of the appraisal foundation **or as required by federal law or regulation**;

(6) To establish an examination for each category of state-certified real estate appraiser, and for state-licensed real estate appraisers, to provide or procure appropriate examination questions and answers, and to establish procedures for grading examinations; provided that such standards for examinations for certification shall meet the minimum criteria specified by the appraiser qualifications board of the appraisal foundation **or as required by federal law or regulation**;

(7) To maintain a registry of the names and addresses of **trainees**, state-certified real estate appraisers [and], state-licensed real estate appraisers, **and appraisal management companies**; [and]

(8) To perform such other functions and duties as may be necessary to carry out the provisions of sections 339.500 to 339.549 **or to comply with the requirements of federal law or regulation**; and

(9) **To establish by rule the standards of practice for appraisal management companies.**

339.511. 1. There shall be [three] **six** classes of licensure for individuals including:

(1) [State licensed real estate appraiser] **State-licensed appraiser trainee**;

(2) [Certified residential real estate appraiser; and] **State-licensed real estate appraiser**;

(3) [Certified general real estate appraiser] **State-certified residential appraiser trainee**;

(4) **State-certified residential real estate appraiser**;

(5) **State-certified general appraiser trainee**; and

(6) **State-certified general real estate appraiser.**

2. **There shall be one class of license for appraisal management companies.**

3. Persons desiring to obtain licensure as a **state-licensed appraiser trainee**, state-licensed real estate appraiser [or], **state-certified residential appraiser trainee**, certification as a [certified] **state-certified residential real estate appraiser**, **state-certified general appraiser trainee**, or [certified] **state-certified general real estate appraiser** shall make written application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure or certification and present to the commission satisfactory proof that the person is of good moral character and bears a good reputation for honesty, integrity and fair dealing.

[3.] 4. Each applicant for licensure as a **state-licensed appraiser trainee**, state-licensed real estate appraiser, **a state-certified residential appraiser trainee**, a state-certified residential real estate appraiser, **a state-certified general appraiser trainee**, or a state-certified general real estate appraiser shall have demonstrated the knowledge and competence necessary to perform appraisals of residential and other real estate as the commission may prescribe by rule

not inconsistent with any requirements imposed by the appraiser qualifications board. The commission shall prescribe by rule procedures for obtaining and maintaining approved courses of instruction. The commission shall, also, prescribe the hours of training in real estate appraisal practices and the minimum level of experience acceptable for licensure or certification.

[4.] **5.** Persons who receive certification after March 30, 1991, or who have a state license or certificate to engage in business as a real estate appraiser issued by the commission, shall receive the same license or certificate from the commission as such persons are currently holding without further education, experience, examination or application fee, but shall be required to meet all continuing education requirements prescribed by the commission.

6. Appraisal management companies desiring to obtain licensure shall:

(1) Make application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure;

(2) Remit the fee or fees as established by rule;

(3) Post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars as further promulgated by rule; and

(4) Submit to the commission satisfactory proof that any controlling person, defined in section 339.503, is of good moral character and bears a good reputation for honesty, integrity, and fair dealing.

339.513. 1. Applications for examination, original certification and licensure, and renewal certification and licensure shall be made in writing to the commission on forms provided by the commission. The application shall specify the classification of certification, or licensure, for which application is being made.

2. Appropriate fees shall accompany all applications for examination, original certification or licensure, and renewal certification or licensure; provided that such fees shall be in amounts set by the commission in order to offset the cost and expense of administering sections 339.500 to 339.549, and in amounts to be determined by the commission with reference to the requirements of Section 1109 of the United States Public Law 101-73, as later codified and as may be amended. All fees collected pursuant to this subsection shall be collected by the commission and deposited with the state treasurer into a fund to be known as the "Missouri Real Estate Appraisers **and Appraisal Management Company** Fund". The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year. In any proceeding in which a remedy provided by subsection 1 or 2 of section 339.532 is imposed, the commission may also require the respondent licensee to pay the costs of the proceeding if the commission is a prevailing party or in settlement. The moneys shall be placed in the state treasury to the credit of the Missouri real estate appraisers fund.

3. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in sections 339.500 to 339.549 and state that he or she understands the types of misconduct for which disciplinary proceedings may be initiated [against a state-certified real estate appraiser or a state-licensed real estate appraiser].

339.515. 1. An original certification as a state-certified real estate appraiser may be issued to any person who meets the qualification requirements for certification and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state certification examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

2. An original license as a state-licensed real estate appraiser may be issued to any person who meets the qualification requirements for licensure and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state licensure examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

3. If an applicant, **other than an appraisal management company**, is not certified or licensed within two years after passing an examination given pursuant to the provisions of this section, he or she shall be required to retake the examination prior to certification or licensure.

4. An applicant, **other than an appraisal management company**, who has failed an examination taken pursuant to this section may apply for reexamination by submitting an application with the appropriate examination fee within ninety days after the date of having last taken and failed the examination.

339.517. 1. Any person who files with the commission an application for state licensure or certification as a real estate appraiser shall be required to pass an examination to demonstrate his or her competence. The commission shall, also, make such investigation as is required to verify such qualifications. If the results of the investigation are satisfactory to the commission and the applicant is otherwise qualified, then the commission shall issue to the applicant a license or certificate authorizing the applicant to act as a state-licensed real estate appraiser or a state-certified real estate appraiser in Missouri. If the results of the investigation are unsatisfactory, action on the application may be deferred pending a hearing before the real estate appraisal commission.

2. The commission shall promulgate and adopt regulations which prescribe and define the subjects related to real estate appraisal and the experience in real estate appraisal that will satisfy the qualification requirements for licensure or certification. The commission may approve courses of instruction in an accredited college or university relating to the appraisal of real estate and related disciplines including, but not limited to, economics, finance, statistics, principles of capitalization, real estate and such other areas deemed relevant by the commission. The commission may also approve similar courses of instruction offered by recognized professional appraisal organizations and real estate organizations and agencies of the state and federal government, and other qualified providers which may be approved by the commission. The commission may require by rule that some or all of an applicant's qualifying experience in real estate appraising be obtained on appraisals of real estate located in this state.

3. Each applicant for certification or licensure, **except for appraisal management companies**, shall furnish under oath a detailed statement of the real estate appraisal assignments or file memoranda for each year in which real estate appraisal experience is claimed by the applicant. Upon request, the applicant shall furnish to the commission a sample of appraisal reports or file memoranda which the applicant has prepared in the course of his or her appraisal practice.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

339.525. 1. To obtain a renewal certificate or license, a state certified real estate appraiser or state licensed real estate appraiser shall make application and pay the prescribed fee to the commission not earlier than one hundred twenty days nor later than thirty days prior to the expiration date of the certificate or license then held. With the application for renewal, the state certified real estate appraiser or state licensed real estate appraiser shall present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530.

2. [If the commission determines that a state certified real estate appraiser or state licensed real estate appraiser has failed to meet the requirements for renewal of certification or licensure through mistake, misunderstanding, or circumstances beyond the appraiser's control, the commission may extend the term of the certificate or license for good cause shown for a period not to exceed six months, upon payment of a prescribed fee for the extension.

3.] If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired certification or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the commission, and present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee.

[4.] 3. If a person has failed to renew the person's license within two years of its expiration, the license shall be void.

[5.] 4. The commission is authorized to issue an inactive certificate or license to [any licensee] **a state-certified real estate appraiser or a state-licensed real estate appraiser** who makes written application for such on a form provided by the commission and remits the fee for an inactive certificate or license established by the commission. An inactive certificate or license may be issued only to a person who has previously been issued a certificate or license to practice as a real estate appraiser in this state, who is no longer regularly engaged in such practice, and who does not hold himself or herself out to the public as being professionally engaged in such practice in this state. Each inactive certificate or license shall be subject to all provisions of this chapter, except as otherwise specifically provided. Each inactive certificate or license may be renewed by the commission subject to all provisions of this section and all other provisions of this chapter. An inactive licensee may apply for a certificate or license to regularly engage in the practice of real estate appraising upon filing a written application on a form provided by the commission, submitting the

reactivation fee established by the commission and submitting satisfactory proof of current competency as established by the commission.

5. To obtain a renewal license, an appraisal management company shall make application on a form prescribed by the commission and pay the prescribed fee.

6. To obtain a renewal license, a state-licensed appraiser trainee, state-certified residential appraiser trainee, or state-certified general appraiser trainee shall request an extension in writing at least thirty days prior to the expiration date as required by rule.

339.527. 1. [A certificate or license issued pursuant to sections 339.500 to 339.549 shall bear the signature or facsimile signature of the chairman of the commission and a certificate or license number assigned by the commission.

2.] A state-certified real estate appraiser may designate or identify an appraisal report rendered by him or her as a certified appraisal for the type of property included in his or her certification.

[3.] **2. Each state-certified real estate appraiser or state-licensed real estate appraiser shall place the certificate or license number adjacent to or immediately below the designation "Missouri State-certified (Residential/General) Real Estate Appraiser" or "Missouri State-licensed Real Estate Appraiser" when used in an appraisal report or in a contract or other instrument used by the holder of the certificate or license in conducting an appraisal assignment or specialized appraisal services. A state-licensed real estate appraiser trainee, state-certified residential appraiser trainee, and state-certified general appraiser trainee shall place his or her license number adjacent to or immediately below the title "state-licensed appraiser trainee", "state-certified residential appraiser trainee", or "state-certified general appraiser trainee".**

3. Each appraisal management company shall be required to disclose its license number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.

4. The terms "Missouri State-certified (Residential/General) Real Estate Appraiser" [and], "Missouri State-licensed Real Estate Appraiser", "**Missouri State-licensed Appraiser Trainee**", "**Missouri State-certified Residential Appraiser Trainee**", and "**Missouri State-certified General Appraiser Trainee**" may only be used to refer to individuals who hold a certificate or license and may not be used following or immediately in connection with the name or signature of a firm, partnership, corporation, or group or in such manner that it might be interpreted as referring to certification or licensure of the firm, partnership, corporation, group, or to certification or licensure of anyone other than an individual holder of the certificate or license.

5. Except for licensed appraisal management companies, a certificate or license shall be issued pursuant to sections 339.500 to 339.549 only to a natural person. However, nothing in this section shall preclude a state-certified real estate appraiser or state-licensed real estate appraiser from rendering appraisals for or on behalf of a corporation, partnership or association, provided that the appraisal report is prepared by, or under the immediate direction of, a state-certified real estate appraiser or state-licensed real estate appraiser, and further provided that the appraisal report is signed by the state-certified real estate appraiser or state-licensed real estate appraiser.

339.529. 1. Each state-certified real estate appraiser, **state-certified appraiser trainee, state-licensed appraiser trainee**, and state-licensed real estate appraiser shall advise the commission of the address of his or her principal place of residence, business and all other addresses at which he or she is currently engaged in the business of preparing real property appraisal reports.

2. Whenever a state-certified real estate appraiser, **state-certified appraiser trainee, state-licensed appraiser trainee**, or state-licensed real estate appraiser changes the location of his or her place of business, he or she shall amend the certificate or license issued by the commission to reflect the change and shall give written notification of the change to the commission within thirty working days of the change.

3. Whenever a state-certified real estate appraiser or state-licensed real estate appraiser changes the location of his or her residence, he or she shall notify the commission of the new residence address within thirty working days of the change.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling person, agent of record, ownership composition, or address.

339.532. 1. The commission may refuse to issue or renew any certificate or license issued pursuant to sections 339.500 to 339.549 for one or any combination of causes stated in subsection 2 of this section. The commission shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any state-certified real estate appraiser, state-licensed real estate appraiser, **state-licensed appraiser trainee, state-certified residential appraiser trainee, state-certified general appraiser trainee, state-licensed appraisal management company that is a legal entity other than a natural person, any person who is a controlling person as defined in this chapter**, or any person who has failed to renew or has surrendered his or her certificate or license for any one or any combination of the following causes:

(1) Procuring or attempting to procure a certificate or license pursuant to section 339.513 by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for certification or licensure, or through any form of fraud or misrepresentation;

(2) Failing to meet the minimum qualifications for certification or licensure or renewal established by sections 339.500 to 339.549;

(3) Paying money or other valuable consideration, other than as provided for by section 339.513, to any member or employee of the commission to procure a certificate or license pursuant to sections 339.500 to 339.549;

(4) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 339.500 to 339.549 for any offense of which an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(5) Incompetency, misconduct, gross negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of any profession licensed or regulated by sections 339.500 to 339.549;

(6) Violation of any of the standards for the development or communication of real estate appraisals as provided in or pursuant to sections 339.500 to 339.549;

(7) Failure to comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation;

(8) Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(9) Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal;

(10) Violating, assisting or enabling any person to willfully disregard any of the provisions of sections 339.500 to 339.549 or the regulations of the commission for the administration and enforcement of the provisions of sections 339.500 to 339.549;

(11) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser's reporting a predetermined analysis or opinion or where the fee to be paid for the performance of the appraisal assignment is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment;

(12) Violating the confidential nature of governmental records to which the person gained access through employment or engagement to perform an appraisal assignment or specialized appraisal services for a governmental agency;

(13) Violating any term or condition of a certificate or license issued by the commission pursuant to the authority of sections 339.500 to 339.549;

(14) Violation of any professional trust or confidence;

(15) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(16) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 339.500 to 339.549 who is not licensed or certified and currently eligible to practice pursuant to sections 339.500 to 339.549;

(17) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(18) Disciplinary action against the holder of a license, certificate or other right to practice any profession regulated pursuant to sections 339.500 to 339.549, imposed by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(19) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or certification, or for license or certification renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(20) Engaging in or committing, or assisting any person in engaging in or committing, any practice or act of mortgage fraud, as defined in section 443.930;

(21) Influencing or attempting to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, or bribery.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the commission may, singly or in combination, publicly censure or place the person named in the complaint on probation on such terms and conditions as the commission deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke, the certificate or license. The holder of a certificate or license, **or the legal entity and any controlling person in the case of an appraisal management company**, revoked pursuant to this section may not obtain certification as a state-certified real estate appraiser [or], licensure as a state-licensed real estate appraiser, **or licensure as an appraisal management company** for at least five years after the date of revocation.

4. Notwithstanding other provisions of this section, a real estate appraiser license or certification **or an appraisal management company license** shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant, **or any controlling person in the case of an appraisal management company**, has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of mortgage fraud as defined in section 570.310. The commission shall notify the individual **or legal entity** of the reasons for the revocation in writing, by certified mail.

5. A person, **or the legal entity or controlling person in the case of an appraisal management company**, whose license is revoked under subsection 4 of this section may appeal such revocation to the administrative hearing commission, as provided by chapter 621, within ninety days from the time the commission mails the notice of revocation. A person who fails to do so waives all rights to appeal the revocation.

6. A certification of a state-certified real estate appraiser [or], a license of a state-licensed real estate appraiser, **or a license of an appraisal management company** that has been suspended as a result of disciplinary action by the commission shall not be reinstated, and a person, **controlling person, or legal entity** may not obtain certification as a state-certified real estate appraiser [or], licensure as a state-licensed real estate appraiser, **or licensure as an appraisal management company** subsequent to revocation, unless the applicant presents evidence of completion of the continuing education required by section 339.530 during the period of suspension or revocation as well as fulfillment of any other conditions imposed by the commission. Applicants for recertification, relicensure or reinstatement also shall be required to successfully complete the examination for original certification or licensure required by section 339.515 as a condition to reinstatement of certification or licensure, or recertification or relicensure subsequent to revocation.

339.533. 1. The chairperson of the commission may administer oaths, issue subpoenas, and issue subpoenas duces tecum requiring the production of documents and records. Subpoenas and subpoenas duces tecum shall be served by a person authorized to serve subpoenas of courts of record. In lieu of requiring attendance of a person, **controlling person, or other legal entity** to produce original documents in response to a subpoena duces tecum, the commission may require sworn copies of such documents to be filed with it or delivered to its designated representative.

2. The commission may enforce its subpoenas and subpoenas duces tecum by applying to the circuit court of Cole County; the county of the investigation, hearing, or proceeding; or any county where the person, **controlling person, or other legal entity** subpoenaed resides or may be found for an order to show cause why such subpoena should not be enforced, such order and a copy of the application therefor to be served upon the person in the same manner as a summons in a civil action, and if the circuit court shall, after a hearing, determine that the subpoena should be sustained and enforced, such court shall proceed to enforce the subpoena in the same manner as though the subpoena had been issued in a civil case in the circuit court.

339.535. [State certified] **State-certified** real estate appraisers [and state licensed], **state-licensed** real estate appraisers, **state-licensed appraiser trainees, and state-certified appraiser trainees** shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation.

339.537. 1. State-certified real estate appraisers and state licensed real estate appraisers shall retain originals or true copies of contracts engaging an appraiser's services for appraisal assignments, specialized appraisal services, appraisal reports, and supporting data assembled and formulated in preparing appraisal reports, for five years. The period for retention of the records applicable to each engagement of the services of the state-certified real estate appraiser or state-licensed real estate appraiser shall run from the date of the submission of the appraisal report to the client. Upon requests by the commission, these records shall be made available by the state-certified real estate appraiser or state-licensed real estate appraiser for inspection and copying at his or her expense, by the commission on reasonable notice to the state-certified real estate appraiser or state-licensed real estate appraiser. When litigation is contemplated at any time, reports and records shall be retained for two years after the final disposition.

2. All appraisal management company records shall be retained by the appraisal management company for five years. Upon request by the commission, such records shall promptly be made available to the commission for inspection and copying at the expense of the appraisal management company.

339.541. 1. It shall be a class B misdemeanor for any person to practice any deception or fraud with respect to his **or her** identity in connection with an application for certification or licensure or in the taking of an examination for certification as a state certified real estate appraiser or licensure as a state licensed real estate appraiser or by holding himself **or herself** out to any member of the public or representing himself **or herself** as a state certified real estate appraiser or a state licensed real estate appraiser when, in fact, he **or she** is not so.

2. It shall be a class B misdemeanor for any corporation, business, or controlling person to practice any deception or fraud in its identity in connection with an application or holding out to any member of the public or representation as a licensed appraisal management company when in fact it is not so.

339.543. 1. If the commission believes that an appraiser, **business, corporation, or controlling person** has engaged in, is engaging in, or has willfully taken a substantial step toward engaging in an act, practice, omission, or course of business constituting mortgage fraud, as defined in section 443.930, or that a person, **business, corporation, or controlling person** has materially aided or is materially aiding any such act, practice, omission, or course of business, the commission may maintain an action in the circuit court of any county of the state or any city not within a county to enjoin the person, **business, corporation, or controlling person**. Upon a proper showing, the court may issue a permanent or temporary injunction, restraining order, or declaratory judgment.

2. The court may impose a civil penalty against the person, **business, corporation, or controlling person** not to exceed two thousand five hundred dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances including, but not limited to, a temporary suspension of any license issued by the commission.

3. The commission may initiate an investigation and take all measures necessary to find the facts of any potential violation of this section, including issuing subpoenas to compel the attendance and testimony of witnesses and the production of documents and other evidence. The commission may conduct joint investigations, enter into confidentiality agreements, and share information obtained relating to an investigation under this section with other governmental agencies.

4. The enforcement authority of the commission under this section is cumulative to any other statutory authority of the commission.

339.545. 1. The commission shall take such action as is necessary to be able to issue general certificates, residential certificates and licenses to qualified persons.

2. The commission shall take action as is necessary to be able to issue licenses to qualified applicants seeking licensure as an appraisal management company.

339.549. 1. It is unlawful for any person, **business, corporation, or controlling person** not certified or licensed pursuant to sections 339.500 to 339.549 to perform any act for which certification or licensure is required. Upon application by the commission, and the necessary burden having been met, a court may grant an injunction, restraining order or other order as may be appropriate to enjoin a person, **business, corporation, or controlling person** from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a certificate or license is required by sections 339.500 to 339.549 upon a showing that such acts or practices were performed or offered to be performed without a certificate or license; or

(2) Engaging in any practice or business authorized by a certificate or license issued pursuant to sections 339.500 to 339.549 upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client of the certificate holder or licensee.

2. Any such action shall be commenced in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any actions brought pursuant to this section shall be in addition to and not in lieu of any penalty provided by sections 339.500 to 339.549 and may be brought concurrently with other actions to enforce the provisions of this chapter.

[339.1100. Sections 339.1100 to 339.1240 shall be known and may be cited as the "Missouri Appraisal Management Company Registration and Regulation Act".]

[339.1105. As used in sections 339.1100 to 339.1240, unless the context otherwise requires, the following terms shall mean:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produce appraisals;

(3) "Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;

(4) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals;

(e) Conduct quality control of a completed appraisal prior to the delivery of the appraisal to the person that ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser to one or more persons who have ordered an appraisal;

(5) "Appraisal review", the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal assignment, except that an examination of an appraisal for grammatical, typographical, or other similar errors shall not be an appraisal review;

(6) "Appraiser", an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter;

(7) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons that have ordered appraisals through the appraisal management company or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company that has ordered an appraisal through the appraisal management company or to perform appraisals for the appraisal management company directly;

(8) "Commission", the Missouri real estate appraisers commission created in section 339.507;

(9) "Controlling person":

(a) An owner, officer or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

(10) "State certified real estate appraiser", a person who develops and communicates real estate appraisals and who holds a current valid certificate issued to the person for either general or residential real estate under this chapter;

(11) "State licensed real estate appraiser", a person who holds a current valid real estate appraiser license issued under this chapter.]

[339.1110. 1. No person shall directly or indirectly engage or attempt to engage in business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.1100 to 339.1240.

2. The registration required by subsection 1 of this section shall, at a minimum, include the following:

- (1) Name of the entity seeking registration;
- (2) Business address of the entity seeking registration, which shall be located and maintained within this state;
- (3) Phone contact information of the entity seeking registration;
- (4) If the entity is not a corporation that is domiciled in this state, the name and contact information for the company's agent for service of process in this state;
- (5) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns ten percent or more of the appraisal management company;
- (6) The name, address, and contact information for a designated controlling person to be the primary communication source for the commission;
- (7) A certification that the entity has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company for appraisal services to be performed in Missouri holds a license in good standing in Missouri, if a license or certification is required to perform appraisals under section 339.1180;
- (8) A certification that the entity has a system in place to review the work of all appraisers who are performing real estate appraisal services for the appraisal management company on a periodic basis to validate that the real estate appraisal services are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP) under section 339.1185;
- (9) A certification that the entity maintains a detailed record of each service request that it receives for appraisal services within the state of Missouri and the appraiser who performs the real estate appraisal services for the appraisal management company under section 339.1190;
- (10) An irrevocable uniform consent to service of process under section 339.1130; and
- (11) Any other reasonable information required by the commission to complete the registration process.]

[339.1115. Sections 339.1100 to 339.1240 shall not apply to:

- (1) The performance of services as an appraisal firm;
- (2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the department of insurance, financial institutions or professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution. An entity exempt as provided in this subdivision shall file a notice with the commission containing the information required in section 339.1110;
- (3) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;
- (4) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;
- (5) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.]

[339.1120. An applicant for a registration as an appraisal management company shall submit to the commission an application containing the information required in subsection 2 of section 339.1110 on a form prescribed by the commission.]

[339.1125. Registration shall be valid for two years from its issuance.]

[339.1130. Each entity applying for a registration as an appraisal management company in Missouri shall complete an irrevocable uniform consent to service of process, as prescribed by the commission.]

[339.1135. 1. The commission shall establish by rule the fee to be paid by each appraisal management company seeking registration under sections 339.1100 to 339.1240, such that the sum of the fees paid by all appraisal management companies seeking registration under this section shall be sufficient for the administration of sections 339.1100 to 339.1240. The commission shall charge and collect fees to be utilized to fund activities that may be necessary to carry out the provisions of this chapter.

2. Each applicant for registration shall post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars. The details of the bond shall be prescribed by rule of the commission, however, the bond shall not be used to assist appraisers in collection efforts of credit extended by the appraiser.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 339.1100 to 339.1240 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 339.1100 to 339.1240 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.]

[339.1140. 1. An appraisal management company applying for a registration in Missouri shall not be more than ten percent owned by:

(1) A person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) An entity that is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state.

2. Each person who owns more than ten percent of an appraisal management company in this state shall:

(1) Be of good moral character, as determined by the commission; and

(2) Submit to a background investigation, as determined by the commission.

3. Each appraisal management company applying for registration shall certify to the commission that it has reviewed each entity that owns more than ten percent of the appraisal management company and that no entity that owns more than ten percent of the appraisal management company is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling principal, agent of record, or ownership composition.]

[339.1145. 1. Each appraisal management company applying to the commission for a registration in this state shall designate one compliance manager who will be the main contact for all communication between the commission and the appraisal management company.

2. The designated controlling person under subsection 1 of this section shall:

(1) Have never had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) Be of good moral character, as determined by the commission; and

(3) Submit to a background investigation, as determined by the commission.]

[339.1150. An appraisal management company that applies to the commission for registration to do business in this state as an appraisal management company under subdivision (1) of section 339.1115 shall not:

(1) Employ any person directly involved in appraisal management services who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(2) Knowingly enter into any independent contractor arrangement, whether in verbal, written, or other form, with any person who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(3) Knowingly enter into any contract, agreement, or other business relationship directly involved with the performance of real estate appraisal or appraisal management services, whether in verbal, written, or any other form, with any entity that employs, has entered into an independent contract arrangement, or has entered into any contract, agreement, or other business relationship, whether in verbal, written, or any other form, with any person who has ever had a license or certificate to act as an appraiser in Missouri or in any other state, refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.]

[339.1155. Prior to placing an assignment for real estate appraisal services within the state of Missouri with an appraiser on the appraiser panel of an appraisal management company, the appraisal management company shall have a system in place to verify that the appraiser receiving the assignment holds a credential in good standing in the state of Missouri. Letters of engagement shall include instructions to the appraiser to decline the assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.]

[339.1160. Any employee or independent contractor of the appraisal management company who performs an appraisal review shall be an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter. Letters of engagement shall include instructions to the appraiser to decline the appraisal review assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.]

[339.1170. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system and process in place to verify that an individual being added to the appraiser panel of the appraisal management company holds a license in good standing in this state under this chapter.]

[339.1175. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system in place to verify that an individual to whom the appraisal management company is making an assignment for the completion of an appraisal has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation on a regular basis.]

[339.1180. Each registered appraisal management company shall certify to the commission on a biannual basis that it has a system in place to perform an appraisal review on a periodic basis of the work of all appraisers who are performing appraisals for the appraisal management company to validate that the appraisals are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP). An appraisal management company shall report to the commission the results of any appraisal reviews in which an appraisal is found to be substantially noncompliant with USPAP or state or federal laws pertaining to appraisals.]

[339.1185. 1. Each appraisal management company seeking to be registered shall certify to the commission biannually that it maintains a detailed record of each service request for appraisal services within the state of Missouri and that it receives of each appraiser who performs an appraisal for the appraisal management company in the state of Missouri.

2. All appraisal management company records shall be retained for five years.]

[339.1190. 1. An appraisal management company shall not prohibit its appraiser who is part of an appraisal panel from recording the fee that the appraiser was paid by the appraisal management company for the performance of the appraisal within the appraisal report that is submitted by the appraiser to the appraisal management company.

2. An appraisal management company shall separately state to the client the fees paid to an appraiser for appraisal services and the fees charged by the appraisal management company for services associated with the management of the appraisal process, including procurement of the appraiser's services.]

[339.1200. 1. No employee, director, officer, or agent of an appraisal management company shall influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner, including but not limited to:

(1) Withholding or threatening to withhold timely payment for an appraisal, except in cases of substandard performance or noncompliance with conditions of engagement;

(2) Withholding or threatening to withhold future business, or demoting, terminating, or threatening to demote or terminate an appraiser;

(3) Expressly or impliedly promising future business, promotions, or increased compensation for an appraiser;

(4) Conditioning the request for an appraisal or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;

(5) Requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;

(6) Providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided;

(7) Providing to an appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits;

(8) Allowing the removal of an appraiser from an appraisal panel without prior written notice to such appraiser;

(9) Any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, objectivity, or impartiality;

(10) Requiring an appraiser to collect an appraisal fee on behalf of the appraisal management company from the borrower, homeowner, or other third party; or

(11) Requiring an appraiser to indemnify an appraisal management company or hold an appraisal management company harmless for any liability, damage, losses, or claims arising out of the services performed by the appraisal management company, and not the services performed by the appraiser.

2. Nothing in subsection 1 of this section shall prohibit the appraisal management company from requesting that an appraiser:

(1) Provide additional information about the basis for a valuation; or

(2) Correct objective factual errors in an appraisal report; or

(3) Provide additional information with the appraisal regarding additional sales provided through an established dispute process.]

[339.1205. An appraisal management company shall not:

(1) Require an appraiser to modify any aspect of an appraisal report unless the modification complies with section 339.1200;

(2) Require an appraiser to prepare an appraisal report if the appraiser, in the appraiser's own professional judgment, believes the appraiser does not have the necessary expertise for the assignment or for the specific geographic area, and has notified the appraisal management company and declined the assignment;

(3) Require an appraiser to prepare an appraisal under a time frame that the appraiser, in the appraiser's own professional judgment, believes does not afford the appraiser the ability to meet all

the relevant legal and professional obligations, and has notified the appraisal management company and declined the assignment;

- (4) Prohibit or inhibit legal or other allowable communication between the appraiser and:
 - (a) The lender;
 - (b) A real estate licensee; or
 - (c) Any other person from whom the appraiser, in the appraiser's own professional judgment, believes information would be relevant;
- (5) Knowingly require the appraiser to do anything that does not comply with:
 - (a) Uniformed Standards of Professional Appraisal Practice (USPAP);
 - (b) The Missouri certified and licensed real estate appraisers act established under this chapter; or
 - (c) Any assignment conditions and certifications required by the client;
- (6) Make any portion of the appraiser's fee or the appraisal management company's fee contingent on a predetermined or favorable outcome, including but not limited to:
 - (a) A loan closing; or
 - (b) Specific dollar amount being achieved by the appraiser in the appraisal report.]

[339.1210. Each appraisal management company shall, except in cases of breach of contract or substandard performance of services, make payment to an appraiser for the completion of an appraisal or valuation assignment within thirty days, unless a mutually agreed upon alternate payment schedule exists, from when the appraiser transmits or otherwise provides the completed appraisal or valuation study to the appraisal management company or its assignee.]

[339.1215. 1. An appraisal management company shall not alter, modify, or otherwise change a completed appraisal report submitted by an appraiser by:

- (1) Permanently removing the appraiser's signature or seal; or
- (2) Adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion.

2. No registered appraisal management company shall require an appraiser to provide the appraisal management company with the appraiser's digital signature or seal.]

[339.1220. 1. The commission shall issue a unique registration number to each appraisal management company.

2. The commission shall publish a list of the appraisal management companies that have registered under sections 339.1100 to 339.1240 and have been issued a registration number.

3. An appraisal management company shall be required to disclose the registration number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.]

[339.1230. 1. Except within the first thirty days after an appraiser is first added to the appraiser panel of an appraisal management company, an appraisal management company shall not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an appraiser without:

- (1) Notifying the appraiser in writing of the reasons why the appraiser is being removed from the appraiser panel of the appraisal management company;
- (2) If the appraiser is being removed from the panel for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, describing the nature of the alleged conduct or violation; and
- (3) Providing an opportunity for the appraiser to respond to the notification of the appraisal management company.

2. An appraiser who is removed from the appraiser panel of an appraisal management company for alleged illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or violation of state licensing standards may file a complaint with the commission for a review of the decision of the appraisal management company; except that, in no case shall the commission make any determination regarding the nature of the business relationship between the

appraiser and the appraisal management company which is unrelated to the actions specified in subsection 1 of this section.

3. If after notice and an opportunity for hearing and review, the commission determines that an appraiser did not commit a violation of law, a violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, the commission shall order that such appraiser be added to the appraiser panel of the appraisal management company.

4. If the commission has found that the appraisal management company acted improperly in removing the appraiser from the appraiser panel, an appraisal management company shall not refuse to make assignments for real estate appraisal services to an appraiser, or reduce the number of assignments, or otherwise penalize the appraiser.]

[339.1235. The commission may censure an appraisal management company, conditionally or unconditionally suspend or revoke any registration issued under sections 339.1100 to 339.1240, or impose civil penalties not to exceed one thousand dollars for each offense. Each day of a continued violation constitutes a separate offense, with a maximum penalty of ten thousand dollars. In determining the amount of penalty to be imposed, the commission may consider if an appraisal management company is:

- (1) Knowingly committing any act in violation of sections 339.1100 to 339.1240;
- (2) Violating any rule adopted by the commission; or
- (3) Procuring a license by fraud, misrepresentation, or deceit.]

[339.1240. The conduct of adjudicatory proceedings for violations of this section is vested in the commission, provided:

(1) Before censuring any registrant, or suspending or revoking any registration, the commission shall notify the registrant in writing of any charges made at least twenty days before the hearing and shall afford the registrant an opportunity to be heard in person or by counsel; and

(2) Written notice shall be satisfied by personal service on the controlling person of the registrant, or the registrant's agent for service of process in this state, or by sending the notice by certified mail, return receipt requested to the controlling person of the registrant to the registrant's address on file with the commission.]" and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 1103, Page 1, Section A, Line 2, by inserting after all of said line the following:

"228.341. For purposes of sections 228.341 to 228.374, "private road" with regard to a proceeding to obtain a maintenance order means any private road established under this chapter or any easement of access, regardless of how created, which provides a means of ingress and egress by motor vehicle for any owner or owners of residences from such homes to a public road. A private road does not include any road owned by the United States or any agency or instrumentality thereof, or the state of Missouri, or any county, municipality, political subdivision, special district, instrumentality, or agency of the state of Missouri. Nothing in sections 228.341 to 228.374 shall be deemed to apply to any road created by or included in any recorded plat referencing or referenced in an indenture or declaration creating an owner's association, regardless of whether such road is designated as a common element. Nothing in sections 228.341 to 228.374 shall be deemed to apply to any land or property owned or operated by any railroad regulated by the Federal Railroad Administration.

228.368. The costs of the proceedings **to establish or widen a private road** incurred up to and including the filing of the commissioners' report shall be paid by the plaintiff; and the court, as to any costs incurred in proceedings subsequent thereto, including the costs of the jury trial, may make such order as in its discretion may be deemed just, **including, in the case of a proceeding to obtain a maintenance order, assessing the costs to all benefitted homeowners.**

228.369. 1. For any private road subject to the use of more than one homeowner, in the absence of a prior order or written agreement for the maintenance of the private road, including covenants contained in deeds

or state or local permits providing for the maintenance of a private road, when adjoining homeowners who are benefitted by the use of an abutting private road, or homeowners who have an easement to use a private road, collectively owners or benefitted owners are unable to agree in writing upon a plan of maintenance for the maintenance, repair, or improvement of the private road and including the assessment and apportionment of costs for the plan of maintenance, one or more of the owners may petition the circuit court for an order establishing a plan of maintenance.

2. The cost of a plan of maintenance for a private road shall be apportioned among the owners of residences abutting the private road and holders of easements to use the private road, with the cost apportioned commensurate with the use and benefit to residences benefitted by the access, as mutually agreed by the benefitted homeowners or as ordered by the court with such method of apportionment as agreed by the homeowners or ordered by the court, including, but not limited to, equal division, or proportionate to the residential assessed value, or to front footage, or to usage or benefit.

3. The court may implement the same procedures to order and subsequently determine a plan of maintenance for a private road as provided in this chapter for establishing or widening a private road, including the appointment and compensation of disinterested commissioners to determine the plan and the apportionment of costs.

4. Where the homeowners who are benefitted by the private road are not able to agree upon the designation of a supervisor to complete the plan of maintenance, the commissioners appointed by the court shall designate a supervisor who shall be compensated for his or her services in the same manner as the commissioners.

5. Any agreement executed by all the homeowners, or final order approving, a plan of maintenance for a private road shall be recorded with the county recorder of deeds.

6. One or more adjoining homeowners or holders of any easement to use a private road may bring an action to enforce the plan of maintenance for a private road, whether as mutually agreed or as ordered by the court.

228.374. 1. A prior agreement or court order establishing a plan of maintenance may be amended or modified and may be restated at any time by a recorded agreement signed by all the homeowners or other benefitted owners.

2. No court proceeding under section 228.369 to amend, modify, or restate a plan of maintenance may be filed sooner than seven years from the entry of a prior order, except upon a prima facie showing that the real property benefitted by the private road has been developed or divided in a manner rendering the plan of maintenance obsolete or showing that the existing apportionment of the use and benefit to residences benefitted by the access to the private road is no longer equitable.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1105**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1135**, entitled:

An act to repeal sections 536.041 and 536.325, RSMo, and to enact in lieu thereof four new sections relating to administrative procedures and review.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 1135, Page 1, Section A, Line 3, by inserting after all of said line the following:

"161.092. The state board of education shall:

(1) Adopt rules governing its own proceedings and formulate policies for the guidance of the commissioner of education and the department of elementary and secondary education;

(2) Carry out the educational policies of the state relating to public schools that are provided by law and supervise instruction in the public schools;

(3) Direct the investment of all moneys received by the state to be applied to the capital of any permanent fund established for the support of public education within the jurisdiction of the department of elementary and secondary education and see that the funds are applied to the branches of educational interest of the state that by grant, gift, devise or law they were originally intended, and if necessary institute suit for and collect the funds and return them to their legitimate channels;

(4) Cause to be assembled information which will reflect continuously the condition and management of the public schools of the state;

(5) Require of county clerks or treasurers, boards of education or other school officers, recorders and treasurers of cities, towns and villages, copies of all records required to be made by them and all other information in relation to the funds and condition of schools and the management thereof that is deemed necessary;

(6) Provide blanks suitable for use by officials in reporting the information required by the board;

(7) When conditions demand, cause the laws relating to schools to be published in a separate volume, with pertinent notes and comments, for the guidance of those charged with the execution of the laws;

(8) Grant, without fee except as provided in section 168.021, certificates of qualification and licenses to teach in any of the public schools of the state, establish requirements therefor, formulate regulations governing the issuance thereof, and cause the certificates to be revoked for the reasons and in the manner provided in section 168.071;

(9) Classify the public schools of the state, subject to limitations provided by law **and subdivision (14) of this section**, establish requirements for the schools of each class, and formulate rules governing the inspection and accreditation of schools preparatory to classification, with such requirements taking effect not less than two years from the date of adoption of the proposed rule by the state board of education, provided that this condition shall not apply to any requirement for which a time line for adoption is mandated in either federal or state law;

(10) Make an annual report on or before the first Wednesday after the first day of January to the general assembly or, when it is not in session, to the governor for publication and transmission to the general assembly. The report shall be for the last preceding school year, and shall include:

(a) A statement of the number of public schools in the state, the number of pupils attending the schools, their sex, and the branches taught;

(b) A statement of the number of teachers employed, their sex, their professional training, and their average salary;

(c) A statement of the receipts and disbursements of public school funds of every description, their sources, and the purposes for which they were disbursed;

(d) Suggestions for the improvement of public schools; and

(e) Any other information relative to the educational interests of the state that the law requires or the board deems important;

(11) Make an annual report to the general assembly and the governor concerning coordination with other agencies and departments of government that support family literacy programs and other services which influence educational attainment of children of all ages;

(12) Require from the chief officer of each division of the department of elementary and secondary education, on or before the thirty-first day of August of each year, reports containing information the board deems important and desires for publication;

(13) Cause fifty copies of its annual report to be reserved for the use of each division of the state department of elementary and secondary education, and ten copies for preservation in the state library;

(14) Promulgate rules under which the board shall classify the public schools of the state. Said rules shall include but not be limited to the standards, appropriate scoring guides, forms, instruments, and procedures used in determining the accreditation status of a district. The board shall make classification and accreditation determinations consistent with said rules, and shall not deviate from said rules without properly promulgating such rules pursuant to the provisions of chapter 536;

(15) Have other powers and duties prescribed by law."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1236**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1340**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1460**, entitled:

An act to repeal section 476.055, RSMo, and to enact in lieu thereof one new section relating to the statewide court automation fund, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS#2 HB 1462**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 26**.

SENATE CONCURRENT RESOLUTION NO. 26

WHEREAS, the State of Missouri is currently facing a budget crisis and has limited resources for state spending; and

WHEREAS, the General Assembly is a co-equal branch of state government and is responsible for the appropriation of state funds for various governmental entities; and

WHEREAS, the public expects and requires the General Assembly to ensure that state resources are being used as efficiently and effectively as possible; and

WHEREAS, the Missouri Department of Transportation's statewide construction program has averaged \$1.2 billion in the immediate past and moving forward it will be about approximately half that amount; and

WHEREAS, the Department of Transportation has entered into maintenance mode, which means it will have to direct all available resources to taking care of highways and bridges the state currently owns and not build new projects; and

WHEREAS, the good highways and bridges Missourians have enjoyed since the passage of Amendment 3 will start to deteriorate without more money for transportation projects; and

WHEREAS, the General Assembly understands the importance of finding innovative ways to fund the transportation infrastructure needs of this state:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Interim Committee on Transportation Needs in Missouri; and

BE IT FURTHER RESOLVED that the Committee shall be composed of four majority party members to be appointed by the President Pro Tempore of the Senate and three minority party members to be appointed by the Minority Leader of the Senate, and four majority party members to be appointed by the Speaker of the House of Representatives of the House of Representatives, and three minority party members to be appointed by the Minority Leader of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the transportation infrastructure needs of this state, examine any other issues that the Committee deems relevant, and make any recommendations for improving the efficiency and effectiveness of funding Missouri's transportation needs; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the actual expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingency Fund; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-Sixth General Assembly and the First Regular Session of the Ninety-Seventh General Assembly through December 31, 2012, as authorized by **State v. Atterbury**, 300 S.W. 2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2013, and the authority of such Committee shall terminate on December 31, 2012.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 562** and has taken up and passed **HCS SCS SB 562**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 to SB 736**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 3:00 p.m., Monday, May 7, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixty-sixth Day, Wednesday, May 2, 2012, Page 1461, Line 14, by deleting the number "2586" and inserting in lieu thereof the number "2856."

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, May 8, 2012, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 2062, HB 2067

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, May 9, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued discussion of DHSS, DMH, & DSS policies and procedures

CONFERENCE COMMITTEE

Monday, May 7, 2012, 10:00 AM House Lounge.

Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003,

SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007,

SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011,

SS SCS HCS HB 2012, SS SCS HCS HB 2013

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, May 7, 2012, 2:00 PM House Hearing Room 5.

Public hearing will be held: SB 893

Executive session may be held on any matter referred to the committee.

CORRECTED

FISCAL REVIEW

Monday, May 7, 2012, 2:00 PM South Gallery.

Public hearing will be held: HCS HB 1854, HCS SCS SB 591

Executive session will be held: HCS HB 1854, HCS SCS SB 591

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

CORRECTED

HEALTH INSURANCE

Tuesday, May 8, 2012, 12:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 8, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Monday, May 7, 2012, Upon Evening Adjournment, 516 S. Country Club Drive.

Executive session may be held on any matter referred to the committee.

RETIREMENT

Tuesday, May 8, 2012, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 625

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, May 7, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: SS SB 854

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM

Monday, May 7, 2012, 1:00 PM House Hearing Room 6.

Public hearing will be held: SCS SJR 51, SCS SB 788

Executive session may be held on any matter referred to the committee.

Possible executive session

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, May 8, 2012, Upon Morning Recess House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Informational meeting, presentation by Ram Diagnostics

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, May 8, 2012, 9:30 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-EIGHTH DAY, MONDAY, MAY 7, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant

- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough
- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin
- 20 HB 1357 - Gatschenberger
- 21 HCS HB 1846 - Long
- 22 HCS HB 1585 - Cross
- 23 HCS HB 1971 - Schneider
- 24 HB 1690 - May
- 25 HB 1728 - Johnson
- 26 HB 1790 - Torpey
- 27 HCS HB 1970 - Jones (117)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1328 - Cox
- 2 HCS HB 1922 - Molendorp
- 3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee
- 3 HCS HB 1900 - Redmon
- 4 HCS HB 1854, (Fiscal Review 5/2/12) - Grisamore

HOUSE BILLS FOR THIRD READING - INFORMAL

- 1 HB 1277 - Long
- 2 HB 1431 - Hoskins

SENATE BILLS FOR THIRD READING

- 1 HCS SB 455 - Thomson
- 2 SCS SB 566 - Jones (117)
- 3 HCS SB 578 - Cox
- 4 SS SCS SB 699 - Fuhr
- 5 HCS SS SCS SB 469 - Smith (150)
- 6 HCS SS SCS SB 470 - Burlison

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- 7 HCS SS SCS SB 595, E.C. - Torpey
- 8 HCS SCS SB 591, (Fiscal Review 5/2/12) - Franz
- 9 HCS SB 620 - Gosen
- 10 HCS SB 628 - Kelly (24)
- 11 HCS SCS SB 635 - Phillips
- 12 HCS SB 636 - Diehl
- 13 SS SB 665 - Asbury
- 14 HCS SCS SB 726 - Wells
- 15 SS SCS SB 689 - Schad
- 16 SS SB 607 - Burlison

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HB 1106, as amended - Dugger
- 2 HB 1188, SCA 1 - Allen
- 3 SCS HCS HB 1495 - Nance
- 4 SCS HB 1112 - Gosen
- 5 SCS HCS HB 1042, as amended - Thomson
- 6 SCS HB 1504, as amended - Richardson
- 7 SS SCS HB 1073 and HCS HB 1477, as amended - Sater
- 8 SS SCS HCS HB 1400, E.C. - Richardson
- 9 HB 1250, with SA 1 & SA 2 - Ruzicka
- 10 SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB, as
amended - Marshall
- 11 SS HB 1128 - Largent
- 12 SCS HB 1135, as amended - Smith (150)
- 13 HB 1103, with SA 1 & SA 2 - Crawford
- 14 SCS HB 1460 - Jones (117)

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SB 569, as amended, (request House recede/grant conference) - Dugger
- 2 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 (request House
recede/grant conference) - Stream
- 3 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 (request House
recede/grand conference, E.C. - Brown (116)
- 4 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger

BILLS IN CONFERENCE

- 1 HCS SB 568, as amended, E.C. - Franz
- 2 SS SCS HCS HB 2002 - Silvey
- 3 SS SCS HCS HB 2003 - Silvey
- 4 SS SCS HCS HB 2004 - Silvey
- 5 SS SCS HCS HB 2005 - Silvey
- 6 SS SCS HCS HB 2006, as amended - Silvey
- 7 SS SCS HCS HB 2007 - Silvey

- 8 SS SCS HCS HB 2008 - Silvey
- 9 SS SCS HCS HB 2009 - Silvey
- 10 SS SCS HCS HB 2010 - Silvey
- 11 SS SCS HCS HB 2011, as amended - Silvey
- 12 SS SCS HCS HB 2012 - Silvey
- 13 SS SCS HCS HB 2013 - Silvey
- 14 SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl
- 3 SCR 25 - Hampton

HOUSE RESOLUTIONS

HR 1880 - Burlison

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, MONDAY, MAY 7, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

O LORD our God, there is much to know, much to learn and there is much to pray for each one of us from the Proverbs of your servant, King Solomon.

I pray, O Father, that each one will be humble in heart for, "It is not good to eat much honey, nor is it glory to search out one's own glory". (*Proverbs 25:27*)

I pray that each will surround himself or herself with good counselors as "He who walks with wise men will be wise, but the companion of fools will suffer harm" (*Proverbs 13:20*), and "If a ruler listens to falsehood, all his officials will become wicked". (*Proverbs 29:12*)

Lord, may each guard his or her words. May truth be spoken, for "Excellent speech is not fitting for a fool, much less are lying lips to a prince". (*Proverbs 17:7*) And may each of us speak with much gentleness: "A gentle answer turns away wrath, but a harsh word stirs up anger. The tongue of the wise makes knowledge acceptable, but the mouth of fools spouts folly". (*Proverbs 15:1-2*)

May we all seek wisdom, for You have commanded us to "Acquire wisdom! Acquire understanding! Do not forsake her, and she will guard you; love her and she will watch over you". (*Proverbs 4:5a-6*)

I pray that we will all pursue righteousness, for "Righteousness exalts a nation..." (*Proverbs 14:34a*), and "It is an abomination for kings to commit wicked acts for a throne is established on righteousness". (*Proverbs 16:12*)

May we fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-seventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2917 through House Resolution No. 2974

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

HCS SB 620, relating to insurance, was taken up by Representative Gosen.

HCS SB 620 was laid over.

HCS SB 628, relating to judicial procedures, was taken up by Representative Kelly (24).

HCS SB 628 was laid over.

Representative Fuhr assumed the chair.

THIRD READING OF HOUSE BILLS

HCS HB 1900, relating to executive branch reorganizations, was taken up by Representative Redmon.

On motion of Representative Redmon, **HCS HB 1900** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance

Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Brown 50	Brown 116	Carter	Diehl
Franz	Funderburk	Holsman	Hughes	Lauer
Molendorp	Nolte			

Representative Fuhr declared the bill passed.

HCS HB 1854, relating to services for individuals, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 1854** was read the third time and passed by the following vote:

AYES: 115

Allen	Anders	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGeoghegan	McGhee	McManus
McNary	Meadows	Nance	Nasheed	Neth
Nichols	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 150	Solon	Sommer

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Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Weter	Wieland	Wright	Wyatt	Zerr

NOES: 028

Asbury	Atkins	Brattin	Colona	Conway 14
Curtman	Ellington	Franklin	Frederick	Hubbard
Kirkton	Koenig	Marshall	May	McCann Beatty
McNeil	Montecillo	Morgan	Newman	Pace
Pollock	Schatz	Sifton	Smith 71	Spreng
Walton Gray	Webb	White		

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 019

Aull	Bahr	Carter	Dieckhaus	Diehl
Dugger	Franz	Funderburk	Holsman	Hough
Hughes	Korman	Lauer	McCreery	Molendorp
Nolte	Sater	Wells	Mr Speaker	

Representative Fuhr declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

SB 611, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, and House Amendment No. 8 to SB 611, relating to yellow light change interval times, was taken up by Representative Stream.

Representative Stream moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, and House Amendment No. 8 to SB 611** and grant the Senate a conference.

Which motion was adopted.

SS SCS SB 719, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6, relating to boating safety identification cards, was taken up by Representative Brown (116).

Representative Brown (116) moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6 to SS SCS SB 719** and grant the Senate a conference.

Which motion was adopted.

Speaker Tilley resumed the Chair.

SB 736, with House Amendment No. 1, relating to St. Francois County special road tax, was taken up by Representative Gatschenberger.

Representative Gatschenberger moved that the House refuse to recede from its position on **House Amendment No. 1 to SB 736** and grant the Senate a conference.

Which motion was withdrawn.

SB 736, with House Amendment No. 1, was laid over.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1073 and HCS HB 1477, as amended, relating to the Missouri Grain Dealer Law, was taken up by Representative Sater.

Representative Sater moved that the House refuse to adopt **SS SCS HB 1073 and HCS HB 1477, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 1135, as amended, relating to a state administrative rules review, was taken up by Representative Smith (150).

Representative Smith (150) moved that the House refuse to adopt **SCS HB 1135, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 569, as amended, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to recede from its position on **HCS SCS SB 569, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SB 455, relating to the Board of Higher Education, was taken up by Representative Thomson.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 455, In the Title, Lines 3 and 4, by deleting from said lines the phrase:

“duties prescribed to the coordinating board for”; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“67.3000. 1. As used in this section and section 67.3005, the following words shall mean:

(1) **"Active member"**, an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) **"Applicant" or "applicants"**, one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) **"Certified sponsor" or "certified sponsors"**, a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) **"Department"**, the Missouri department of economic development;

(5) **"Director"**, the director of revenue;

(6) **"Eligible costs"**, shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) **"Eligible donation"**, donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) **"Endorsing municipality" or "endorsing municipalities"**, any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) **"Joinder agreement"**, an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) **"Joinder undertaking"**, an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) **"Local organizing committee"**, a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) **"Site selection organization"**, the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the

United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated

in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
- (2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and
- (3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Speaker Pro Tem Schoeller assumed the Chair.

Representative Thomson offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 455, Page 9, Section 173.612, Line 33, by deleting the word “**must**” and inserting in lieu thereof the following:

“**shall**”; and

Further amend said bill, Page 11, Section 173.616, Line 13, by deleting “(11)” and inserting in lieu thereof the following:

“[(11)] **(12)**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 455, Page 12, Section 173.618, Line 9, by inserting after all of said section and line the following:

“**620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.**

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

(1) Pay wages that meet or exceed the county average wage;

(2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition;

and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted.

Representative Hough offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 455, Page 12, Section 173.618, Line 9, by inserting after all of said section and line the following:

“174.450. 1. Except as provided in subsection 2 and subsection 6 of this section, the governing board of **the University of Central Missouri [State University]**, Missouri State University, Missouri Southern State University, Missouri Western State University, and of each other public institution of higher education which, through the procedures established in subdivision (7) or (8) of section 173.030, is charged with a statewide mission shall be a board of governors consisting of eight members, composed of seven voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party. The appointed members of the board of regents serving on the date of the statutory mission change shall become members of the board of governors on the effective date of the statutory mission change and serve until the expiration of the terms for which they were appointed. The board of regents of any such institution shall be abolished on the effective date of the statutory mission change, as prescribed in subdivision (7) or (8) of section 173.030.

2. The governing board of Missouri State University, a public institution of higher education charged with a statewide mission in public affairs, shall be a board of governors of ten members, composed of nine voting members and one nonvoting member, who shall be appointed by the governor, by and with the advice and consent of the senate. The nonvoting member shall be a student selected in the same manner as prescribed in section 174.055. At least one but no more than two voting members shall be appointed to the board from each congressional district, and every member of the board shall be a citizen of the United States, and a resident of this state for at least two years prior to his or her appointment. No more than five voting members shall belong to any one political party. The term of office of the governors shall be six years, **except as provided in this subsection**. [The voting members of the board of governors serving on August 28, 2005, shall serve until the expiration of the terms for which they were appointed. For those voting members appointed after August 28, 2005, the term of office will be established in a manner where no more than three terms shall expire in a given year.] The term of office for those appointed hereafter shall end January first in years ending in an odd number. **For the six voting members' terms that expired in 2011, the successors shall be appointed in the following manner:**

- (1) **Of the five voting members' terms that expired on August 28, 2011, one successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2013;**
- (2) **Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to terms that shall expire on January 1, 2015;**
- (3) **Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to a term that shall expire on January 1, 2017; and**
- (4) **For the voting member's term that expired on January 1, 2011, the successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2017.**

Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.

3. If a voting member of the board of governors of Missouri State University is found by unanimous vote of the other governors to have moved such governor's residence from the district from which such governor was appointed, then the office of such governor shall be forfeited and considered vacant.

4. Should the total number of Missouri congressional districts be altered, all members of the board of governors of Missouri State University shall be allowed to serve the remainder of the term for which they were appointed.

5. Should the boundaries of any congressional districts be altered in a manner that displaces a member of the board of governors of Missouri State University from the congressional district from which the member was appointed, the member shall be allowed to serve the remainder of the term for which the member was appointed.

6. The governing board of Missouri Southern State University shall be a board of governors consisting of nine members, composed of eight voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party.

Section B. Because of the importance of appointing members to the governing board of Missouri State University in a timely manner, section 174.450 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 174.450 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 4** was adopted.

Representative Sifton offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 455, Page 7, Section 173.040, Line 19, by inserting after all of said line the following:

"173.300. The Compact for Education is hereby entered into and enacted into law with all jurisdictions legally joining therein, in the form substantially as follows:

Article I Purpose and Policy

A. It is the purpose of this compact to:

1. Establish and maintain close cooperation and understanding among the executive, legislative, professional, educational and lay leadership on a nationwide basis at the state and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of state and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

B. It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and states.

C. The party states recognize that each of them has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare and economic advancement of each state are supplied in significant part by persons educated in other states.

Article II State Defined

As used in this compact, "state" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

Article III The Commission

A. The [Educational] **Education** Commission of the States, hereinafter called "the commission", is hereby established. The commission shall consist of seven members representing each party state. One of such members shall be the governor; two shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; and four shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. If the laws of a state prevent legislators from serving on the commission, six members shall be appointed and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing such state shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the state government, higher education, the state education system, local education, lay and professional, public and non-public educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be not to exceed ten non-voting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to Article IV and adoption of the annual report pursuant to Article III(J).

C. The commission shall have a seal.

D. The commission shall elect annually, from among its members, a chairman, who shall be a governor, a vice chairman and a treasurer. The commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the commission, and together with the treasurer and such other personnel as the commission may deem appropriate shall be bonded in such amount as the commission shall determine. The executive director shall be secretary.

E. Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission, and shall fix the duties and compensation of such personnel. The commission in its bylaws shall provide for the personnel policies and programs of the commission.

F. The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party jurisdictions or their subdivisions.

G. The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this paragraph or services borrowed pursuant to paragraph (F) of this article shall be reported in the annual report of the commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.

H. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

I. The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states.

J. The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.

Article IV Powers

In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.
2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.
3. Develop proposals for adequate financing of education as a whole and at each of its many levels.
4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private.
5. Formulate suggested policies and plans for the improvement of public education as a whole or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.
6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

Article V Cooperation With Federal Government

A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the commission by not to exceed ten representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the commission.

B. The commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common educational policies of the states, and may advise with any such agencies or officers concerning any matter of mutual interest.

Article VI Committees

A. To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of thirty-two members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the bylaws of the commission. Eight of the voting membership of the steering committee shall consist of governors, eight shall be legislators, and the remainder shall consist of other members of the commission. A federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two years, except that members elected to the first steering committee of the commission shall be elected as follows: sixteen for one year and sixteen for two years. The chairman, vice chairman, and treasurer of the commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the steering committee; provided that service for a partial term of one year or less shall not be counted toward the two term limitation.

B. The commission may establish advisory and technical committees composed of state, local and federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to two or more of the party states.

C. The commission may establish such additional committees as its bylaws may provide.

Article VII Finance

A. The commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.

B. The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.

C. The commission shall not pledge the credit of any party states. The commission may meet any of its obligations in whole or in part with funds available to it pursuant to Article III(G) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except

where the commission makes use of funds available to it pursuant to Article III(G) thereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.

E. The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any person authorized by the commission.

F. Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

Article VIII Eligible Parties; Entry Into and Withdrawal

A. This compact shall have as eligible parties all states, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term "governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.

B. Any state or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same; provided that in order to enter into initial effect, adoption by at least ten eligible party jurisdictions shall be required.

C. Adoption of the compact may be either by enactment thereof or by adherence thereto by the governor; provided that in the absence of enactment, adherence by the governor shall be sufficient to make his state a party only until December 31, 1967. During any period when a state is participating in this compact through gubernatorial action, the governor shall appoint those persons who, in addition to himself, shall serve as the members of the commission from his state, and shall provide to the commission an equitable share of the financial support of the commission from any source available to him.

D. Except for a withdrawal effective on December 31, 1967 in accordance with paragraph C of this article, any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

Article IX Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the state affected as to all severable matters."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Sifton, **House Amendment No. 5** was adopted.

Representative Long offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 455, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"160.545. 1. There is hereby established within the department of elementary and secondary education the "A+ Schools Program" to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and

(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and

(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and

(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

4. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

5. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

6. For any school year, grants authorized by subsections 1 to 3 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 7 of this section.

7. The commissioner of education shall, by rule and regulation of the state board of education and with the advice of the coordinating board for higher education, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection 9 of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a public high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section, except that students who are active duty military dependents, and students who are dependants of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the state board of education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of said board.

8. **(1) Notwithstanding the provisions of subsection 7 of this section, the commissioner of education shall establish a process, with the advice of the commissioner of higher education, by which any student enrolled in a public high school in a district that has been declared unaccredited by the state board of education, who otherwise qualifies for reimbursement under subsection 7 of this section but whose high school does not qualify under subsection 2 of this section, may apply for and receive reimbursement under this section.**

(2) The commissioner of education shall designate school officers, such as but not limited to guidance counselors, who shall be authorized to validate a student's eligibility under this subsection.

(3) The commissioner of education shall monitor the accuracy of eligibility validation under this section and may, if ineligible students beyond a reasonable margin of error are validated, revoke an individual's authority to validate eligibility and may further require the school district to repay reimbursements made for ineligible students.

9. The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[9.] **10.** For a two-year private vocational or technical school to obtain reimbursements under [subsection 7] **subsections 7 and 8** of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of article IX, section 8, or article I, section 7, of the Missouri Constitution or the first amendment of the United States Constitution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 6** was adopted.

Representative Richardson offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 455, Page 12, Section 173.618, Line 9, by inserting after all of said section and line the following:

“177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Allen offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1
to
House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 455, Page 1, Line 17, by inserting after all of said line the following:

‘Further amend said bill, Page 12, Section 173.618, Line 9, by inserting after all of said line the following:

“Section 1. 1. No public institution of higher education, or campus thereof, political subdivision, quasi-governmental entity, or governmental entity shall operate the Sue Shear Institute for Women in Public Life, any successor entity to the Sue Shear Institute for Women in Public Life, or utilize public funds for any other institute that engages in political activity.

2. Any taxpayer of this state or any member of the general assembly shall have standing to bring suit against the state of Missouri or any official, department, division, agency, board, commission, committee, council, political subdivision of this state, public officer, or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

Section B. Because immediate action is necessary to protect the financial well-being of vulnerable populations the repeal and reenactment of sections 42.300, 161.215, 313.835 and 407.489 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 42.300, 161.215, 313.835 and 407.489 of this act shall be in full force and effect upon its passage and approval.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SB 455, as amended, with House Amendment No. 1 to House Amendment No. 7 and House Amendment No. 7, pending, was laid over.

SUPPLEMENTAL CALENDAR

MAY 7, 2012

SENATE BILLS FOR THIRD READING

SCS SB 715 - Day

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Jones (89).

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1504, as amended, relating to sales taxes, was taken up by Representative Richardson.

On motion of Representative Richardson, **SCS HB 1504, as amended**, was adopted by the following vote:

AYES: 113

Allen	Atkins	Barnes	Berry	Black
Brandom	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McGeoghegan	McGhee	McManus
McNary	Montecillo	Nance	Neth	Nichols
Pace	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Shively	Shumake	Silvey	Smith 71	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 028

Anders	Asbury	Bahr	Brown 85	Carlson
Conway 14	Curtman	Dieckhaus	Fuhr	Kirkton
Koenig	Lasater	Leach	Marshall	McCreery
McDonald	McNeil	Morgan	Nasheed	Newman
Oxford	Parkinson	Quinn	Schieber	Schupp
Smith 150	Swearingen	Walton Gray		

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 021

Aull	Bernskoetter	Brattin	Brown 50	Carter
Day	Gatschenberger	Guernsey	Holsman	Hughes
Lauer	May	Meadows	Molendorp	Nolte
Pierson	Schneider	Schoeller	Sifton	Sommer
Wallingford				

On motion of Representative Richardson, **SCS HB 1504, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 112

Allen	Atkins	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McManus
McNary	Montecillo	Nance	Nasheed	Neth
Nichols	Pace	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieffer
Shively	Shumake	Silvey	Smith 71	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wright
Zerr	Mr Speaker			

NOES: 029

Anders	Asbury	Bahr	Brown 85	Carlson
Conway 14	Curtman	Dieckhaus	Fuhr	Kirkton
Koenig	Lasater	Leach	Marshall	McCreery
McDonald	McNeil	Morgan	Newman	Oxford
Parkinson	Quinn	Schieber	Schupp	Smith 150
Sommer	Walton Gray	Wieland	Wyatt	

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 021

Aull	Brattin	Brown 50	Carter	Cox
Day	Guernsey	Holsman	Hughes	Lauer
May	McGhee	Meadows	Molendorp	Nolte
Pierson	Sater	Schneider	Schoeller	Sifton
Swearingen				

Representative Jones (89) declared the bill passed.

THIRD READING OF SENATE BILL

HCS SB 455, as amended, with House Amendment No. 1 to House Amendment No. 7 and House Amendment No. 7, pending, relating to the Board of Higher Education, was again taken up by Representative Thomson.

Representative Zerr assumed the Chair.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 011

Aull	Brown 50	Diehl	Holsman	Hughes
Lauer	Meadows	Molendorp	Nolte	Schneider
Silvey				

On motion of Representative Allen, **House Amendment No. 1 to House Amendment No. 7** was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 059

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Gosen	Harris	Hodges	Hough
Hubbard	Hummel	Jones 63	Jones 117	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Sater	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber	Weter	

PRESENT: 000

ABSENT WITH LEAVE: 011

Aull	Brown 50	Diehl	Holsman	Hughes
Lauer	Meadows	Molendorp	Nolte	Schneider
Silvey				

On motion of Representative Richardson, **House Amendment No. 7, as amended**, was adopted.

On motion of Representative Thomson, **HCS SB 455, as amended**, was adopted.

On motion of Representative Thomson, **HCS SB 455, as amended**, was read the third time and passed by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Shumake
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 056

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Lasater	Leach	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Brown 50	Day	Diehl	Holsman
Hughes	Lauer	Meadows	Molendorp	Nolte
Schneider	Silvey			

Representative Zerr declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

Mr Speaker

NOES: 054

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Lasater	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Brown 50	Day	Diehl	Flanigan
Holsman	Hughes	Lauer	Meadows	Molendorp
Nolte	Schneider	Silvey		

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SB 564: Representatives Davis, Day, Long, Meadows and Fallert

HCS SCS SB 569: Representatives Dugger, Smith (150), Neth, Fallert and Conway (27)

SB 611: Representatives Stream, Silvey, Flanigan, Kelly (24) and Lampe

SS SCS SB 719: Representatives Brown (116), Jones (117), Ruzicka, Meadows and McDonald

THIRD READING OF SENATE BILL

HCS SS SCS SB 470, relating to transportation, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Pages 2 through 6, Section 260.392, by deleting said section and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each [cask transported] **truck transporting** through or within the state [by truck of] high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All [casks] **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments [transported by truck] are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering

the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Keeney assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Black	Carlson	Carter
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brattin	Brown 50	Colona	Day
Funderburk	Holsman	Hoskins	Hughes	Kratky
Lauer	McGhee	Meadows	Nolte	Wyatt

On motion of Representative Burlison, **House Amendment No. 1** was adopted.

Representative Silvey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143, by inserting after said line the following:

“301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. [Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the

motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5.] The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase. The temporary permit [shall be made available by the director of revenue and] **authorized under this section** may be purchased **by the purchaser of a motor vehicle or trailer** from the **central office of the department of revenue or from an authorized agent of the department of revenue** upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a **motor vehicle dealer** upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, **or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates.** The director [shall] **of the department of revenue or a producer authorized by the director of the department of revenue** may make temporary permits available to registered dealers in this state [or], authorized agents of the department of revenue [in sets of ten permits] **or the department of revenue.** The [fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued] **price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit.** The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer [or], authorized agent **or the department of revenue** shall charge more than [seven dollars and fifty cents] **five dollars** for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a **motor vehicle** dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. **Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.**

[6.] **5.** The permit shall be issued on a form prescribed by the director **of the department of revenue** and issued only for the applicant's [use in the] **temporary** operation of the motor vehicle or trailer purchased to enable the applicant to [legally] **temporarily** operate the **motor** vehicle while proper title and registration [plate] **plates** are being obtained, **or while awaiting receipt of registration plates,** and shall be displayed on no other **motor** vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director **of the department of revenue** shall determine the size [and], **material, design,** numbering configuration, construction, and color of the permit. **The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.**

[7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit.]

6. Every **motor vehicle** dealer that issues [a] temporary [permit] **permits** shall keep, for inspection [of] **by** proper officers, [a correct] **an accurate** record of each permit issued by recording the permit [or plate] number, **the motor vehicle dealer's number,** buyer's name and address, **the motor vehicle's** year, make, **and** manufacturer's vehicle identification number [on which the permit is to be used], and the **permit's** date of issuance **and expiration date.** **Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information**

associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

[8.] 7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of **motor** vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

9. The provisions of this section shall become effective no later than July 1, 2013.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Tilley offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 4, Line 10, by inserting after all of said line, the following:

“8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.”; and

Further amend said section by renumbering said section accordingly; and

Further amend said amendment, Page 4, Lines 19-20, by deleting all of said lines and inserting in lieu thereof the following:

“void.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Webber raised a point of order that **House Amendment No. 1 to House Amendment No. 2** is dilatory.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Tilley, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Wells offered **House Amendment No. 2 to House Amendment No. 2.**

Representative Silvey raised a point of order that **House Amendment No. 2 to House Amendment No. 2** is dilatory, amends previously amended material, is not germane and goes beyond the scope of the bill.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the fourth point of order well taken.

On motion of Representative Silvey, **House Amendment No. 2, as amended**, was adopted.

Representative Burlison offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 15, Section 302.768, Line 56, by inserting after all of said section and line the following:

“303.200. After consultation with insurance companies authorized to issue automobile liability policies in this state, the director of the department of insurance, financial institutions and professional registration shall approve a reasonable plan or plans for the equitable apportionment among such companies of applicants for such policies and for motor vehicle liability policies who are in good faith entitled to but are unable to procure such policies through ordinary methods. When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. **Any such plan shall contract with an entity or entities to accept and service applicants and policies for any company that does not elect to accept and service applicants and policies. By October 1 of each year any company that elects to accept and service applicants and policies for the next calendar year for any such plan shall so notify the plan. Any company that does not so notify a plan shall be excused from accepting and servicing applicants and policies for the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing such services. The fee shall be based on the company’s market share on the kinds of insurance offered by the plan.** Any applicant for any such policy, any person insured under any such plan, and any insurance company affected, may appeal to the director from any ruling or decision of the manager or committee designated to operate such plan. Any person aggrieved hereunder by any order or act of the director may, within ten days after notice thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 3** was adopted.

Representative Riddle offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied,

assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) **Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subsection "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;**

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

[(5)] (6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state, **including any titled manufacturing or mining equipment**, if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

[(6)] (7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

[(7)] (8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

[(8)] (9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

[(9)] (10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

[(10)] (11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

[(11)] (12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

[(12)] **(13)** Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

[(13)] **(14)** Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

[(14)] **(15)** Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

[(15)] **(16)** Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

[(16)] **(17)** Tangible personal property purchased by a rural water district;

[(17)] **(18)** All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

[(18)] **(19)** All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

[(19)] **(20)** All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

[(20)] **(21)** All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

[(21)] **(22)** All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

[(22)] **(23)** All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or

poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

[(23)] **(24)** Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

[(24)] **(25)** All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

[(25)] **(26)** Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

[(26)] **(27)** Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

[(27)] **(28)** All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

[(28)] **(29)** Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

[(29)] **(30)** All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

[(30)] **(31)** All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

[(31)] **(32)** Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

[(32)] **(33)** Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

[(33)] **(34)** Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

[(34)] **(35)** All sales of grain bins for storage of grain for resale;

[(35)] **(36)** All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

[(36)] **(37)** All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

[(37)] **(38)** All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

[(38)] **(39)** Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

[(39)] **(40)** All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

[(40)] **(41)** Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

[(41)] **(42)** Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 4** was adopted.

Representative Guernsey offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143, by inserting after all of said section and line the following:

“301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is [sixty] **sixty-four** inches or less in width, with an unladen dry weight of [one] **two** thousand [eight hundred fifty] pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before

it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 17, Section 304.022, Line 67, by inserting after all of said section and line the following:

"304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;
(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;
(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 5** was adopted.

Representative Schieffer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143, by inserting immediately after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant

to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieffer, **House Amendment No. 6** was adopted.

Representative Denison offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 18 through 20, Section 304.154, Line 1 through 62, by deleting all of said section and inserting in lieu thereof the following:

"304.154. 1. Beginning [January 1, 2005] August 28, 2012, a towing company operating a tow truck [pursuant to the authority granted in section 304.155 or 304.157 shall] as defined in section 301.010 shall be licensed by the division of professional registration as provided in subsection 2 of this section and:

- (1) Have and occupy a verifiable business address and display such address in a location visible from the street;**
- (2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the storage of motor vehicles, with a total area for storing vehicles, either inside or outside, of at least two thousand square feet, and fencing a minimum of six feet high;**
- (3) Maintain regular business hours for the business office of 8:00 a.m. to 5:00 p.m., Monday through Friday, for customers or their authorized agent to view and retrieve vehicles, with no additional fees charged to view or retrieve a vehicle during these regular business hours;**

(4) Be available twenty-four hours a day, seven days a week. Availability shall mean that an employee of the towing company or an answering service answered by a person is able to respond to a tow request;

(5) Have and maintain a phone number which is published in the local phone book and accessible through directory assistance;

[(4)] (6) Maintain a valid insurance policy issued by an insurer authorized to do business in this state, or a bond or other acceptable surety providing coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount [of at least five hundred thousand dollars per incident] **prescribed by the United States Department of Transportation;**

(7) Maintain liability insurance as follows: garage coverage liability of one million dollars per occurrence with an aggregate of two million dollars or greater, garage keeper policy with a fifty thousand dollar minimum, and hook and cargo insurance with a one hundred fifty thousand dollar minimum;

[(5)] (8) Provide workers' compensation insurance for all employees of the towing company if required by chapter 287; [and]

[(6)] (9) Maintain current motor vehicle registrations on all tow trucks currently operated within the towing company fleet;

(10) Provide a twenty-five thousand dollar surety bond by a company licensed to do business in the state, or provide an irrevocable letter of credit from a financial institution licensed to do business in the state; and

(11) Require tow drivers to be certified by the Towing and Recovery Association of America (TRAA), or any state or federally funded program, as follows:

(a) Beginning August 28, 2013, light-duty operators shall have at least TRAA Level 1 Certification or equivalent;

(b) Beginning March 1, 2014, medium-duty operators shall have at least TRAA Level 2 Certification or equivalent; and

(c) Beginning August 28, 2014, there shall be at least one TRAA Level 3 certified operator per company engaged in heavy-duty towing. Anyone who provides a five-year employment history with a towing or wrecking service shall be exempt from the provisions of this subdivision.

2. Notwithstanding any other law, in order to operate a towing or wrecker service within this state, operators shall be licensed by the division of professional registration. Applicants for licensure shall provide proof of compliance with requirements of subsection 1 of this section to the division and upon presentation of satisfactory proof shall be granted documentation issued by the division indicating that the towing or wrecker service has met state licensing requirements. Local governmental entities shall not contract with any towing or wrecker service not licensed with the division under this section. The provisions of this section may be enforced by local law enforcement and the highway patrol.

3. The director of the division of professional registration may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

4. Counties may adopt ordinances with respect to towing company standards in addition to the minimum standards contained in this section. A towing company located in a county of the second, third, and fourth classification is exempt from the provisions of this section.

5. A towing or wrecker service licensed by the state under this section shall not be required to pay a duplicative fee, or obtain a duplicative permit or license under Section 301.344.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelley (126) offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 3, Line 23, by inserting after all of said line the following:

‘Further amend said bill, Page 23, Section 304.180, Line 128, by inserting after all of said line the following:

“11. Notwithstanding any provision of this section or any other law to the contrary, the department of transportation shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The department of transportation shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (126), **House Amendment No. 1 to House Amendment No. 7** was adopted.

Representative Brown (116) offered **House Amendment No. 2 to House Amendment No. 7.**

House Amendment No. 2 to House Amendment No. 7 was withdrawn.

Representative Black offered **House Amendment No. 3 to House Amendment No. 7.**

House Amendment No. 3
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 3, Line 23, by inserting after said line the following:

‘Further amend said bill, Page 8, Section 302.341, Line 25, by inserting after said line the following:

“The provisions of this subsection shall not apply to revocations resulting from an alcohol related offense.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 047

Atkins	Black	Carlson	Casey	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 001

Nasheed

ABSENT WITH LEAVE: 015

Anders	Aull	Brattin	Brown 50	Carter
Colona	Day	Holsman	Hughes	Largent
Lauer	Meadows	Nolte	Webb	Wyatt

On motion of Representative Black, **House Amendment No. 3 to House Amendment No. 7** was adopted.

On motion of Representative Denison, **House Amendment No. 7, as amended**, was adopted.

Representative Wright offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 7, Section 301.147, Line 29, by inserting after all of said section and line the following:

“301.580. 1. The department of revenue may issue special event motor vehicle auction licenses under the provisions of this section. For purposes of this section, a "special event motor vehicle auction" is a motor vehicle auction which:

- (1) Ninety percent of the vehicles being auctioned are at least ten years old or older;**
- (2) The licensee shall auction no more than three percent of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners; and**
- (3) The duration is no more than three consecutive calendar days and is held no more than three times in a calendar year by a licensee.**

2. A special event motor vehicle auction shall be considered a public motor vehicle auction for purposes of sections 301.559 and 301.564.

3. Special event motor vehicle auction licensees shall be exempt from the requirements of section 301.560, with the exception of subdivision (4) of subsection 1 of section 301.560.

4. An application for a special event motor vehicle auction license must be received by the department at least ninety days prior to the beginning of the special event auction.

5. Applicants for a special motor vehicle auction are limited to no more than three special event auctions in any calendar year. A separate application is required for each special event motor vehicle auction.

6. At least ninety percent of the vehicles being auctioned at a special event motor vehicle auction shall be ten years old or older. The licensee shall, within ten days of the conclusion of a special event motor vehicle auction, submit a report in the form approved by the director to the department that includes the make, model, year, and vehicle identification number of each vehicle included in the auction. Every vehicle included in the special event auction shall be listed, including those vehicles that were auctioned and sold and those vehicles that were auctioned but did not sell. Violation of this subsection is a class A misdemeanor.

7. The applicant for the special event motor vehicle auction shall be responsible for ensuring that a sales tax license or special event sales tax license is obtained for the event if one is required.

8. The fee for a special event motor vehicle auction license shall be one thousand dollars. For every vehicle auctioned in violation of subsection 6 of this section, an administrative fee of five hundred dollars shall be paid to the department. Such fees shall be deposited in like manner as other license fees of this section.

9. In addition to the causes set forth in section 301.562, the department may promulgate rules that establish additional causes to refuse to issue or to revoke a special event license.

10. A special motor vehicle auction shall last no more than three consecutive days.

11. The applicant for a special event motor vehicle auction shall be registered to conduct business in this state.

12. Every applicant for a special event motor vehicle auction license shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102 issued by any state or federal financial institution in the penal sum of one hundred thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the applicant complying with the provisions of the statutes applicable to a special event auction license holder and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the revocation or denial of a special event auction license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary. The aggregate liability of the surety or financial institution to the aggrieved parties shall not exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.

13. No dealer, driveaway, auction, or wholesale plates, or temporary permit booklets, shall be issued in conjunction with a special event motor vehicle auction license.

14. Any person or entity who sells a vehicle at a special event motor vehicle auction shall provide, to the buyer, current contact information including, but not limited to, name, address, and telephone number.

15. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the

powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 8** was adopted.

Representative Schad offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 25, Section 304.190, Line 57, by inserting after all of said section and line, the following:

“304.890. As used in sections 304.890 to 304.894, the term "active emergency zone" is defined as any area upon or around any highway as defined in section 302.010 which is visibly marked by emergency personnel performing work for the purpose of emergency response as an area where an active emergency or incident removal, is temporarily occurring. The term "active emergency zone" also includes the lanes of highway leading up to the area upon which an activity described in this subsection is being performed, beginning at the point where appropriate signs or traffic control devices are posted or placed. As used in sections 304.890 to 304.894, the term "active emergency" means any incident occurring on a public highway or the right-of-way of a public highway that requires emergency services from police or highway patrol officers, firefighters, first responders, emergency medical workers, tow truck operators, or other emergency personnel. The terms "emergency personnel" or "emergency responder" as used in sections 304.890 to 304.894 shall mean any police officer, firefighter, highway patrol officer, first responder, emergency medical worker, tow truck operator or other emergency personnel responding to an emergency on a public highway or the right-of-way of a public highway.

304.892. 1. Upon the first conviction or plea of guilty by any person for a moving violation as defined in section 302.010 or any offense listed in section 302.302, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized to be imposed by law, if the offense occurred within an active emergency zone. Upon a second or subsequent such conviction or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized to be imposed by law.

2. Upon the first conviction or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 4 of this section, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law if the offense occurred within an active emergency zone and at the time the speeding or passing violation occurred there were any emergency personnel or emergency responders in such zone. Upon a second or subsequent such conviction or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section, and no person shall be assessed an additional fine under this subsection if the area is not visibly marked by emergency personnel under subsection 3 of this section.

3. The penalty authorized by subsection 2 of this section shall only be assessed by the court if the emergency personnel or emergency responder has visibly marked the active emergency zone.

4. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone as provided in this subsection. Violation of this subsection is a class C misdemeanor.

5. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person shall be deemed to commit the offense of endangerment of emergency personnel or emergency responder upon conviction for any of the following when the offense occurs within an active emergency zone, as defined in section 304.890:

- (1) Exceeding the posted speed limit by fifteen miles per hour or more;
- (2) Passing in violation of subsection 4 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency personnel, or failure to obey traffic control devices erected or personnel posted in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone by any lane not clearly designated to motorists for the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, or attempting to assault, or threatening to assault an emergency responder in an active emergency zone, with a motor vehicle or other instrument;

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists in the active emergency zone for a reason other than avoidance of an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or

(7) Committing any of the following offenses for which points may be assessed under section 302.302:

(a) Leaving the scene of an accident in violation of section 577.060;

(b) Careless and imprudent driving in violation of subsection 4 of section 304.016;

(c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;

(d) Operating with a suspended or revoked license in violation of section 302.321;

(e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content in violation of sections 577.010 and 577.012;

(f) Any felony involving the use of a motor vehicle.

2. Upon conviction or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section if no injury or death to an emergency responder resulted from the offense, in addition to any other penalty authorized by law, the person shall be subject to a fine of not more than one thousand dollars and shall have four points assessed to his or her driver's license under section 302.302.

3. A person shall be deemed to commit the offense of aggravated endangerment of an emergency responder upon conviction or a plea of guilty for any offense under subsection 1 of this section when such offense occurs in an active emergency zone as defined in section 304.890 and results in the injury or death of an emergency responder. Upon conviction or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the person shall be subject to a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder and ten thousand dollars if the offense resulted in death to an emergency responder. In addition, such person shall have twelve points assessed to their driver's license under section 302.302 and shall be subject to the provisions of section 302.304 regarding the revocation of the person's license and driving privileges.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to commit the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency as defined in section 304.890.

5. No person shall be cited or convicted for endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle or from the negligence of another person or emergency responder.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 9** was adopted.

Representative Smith (150) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Pages 20-24, Section 304.180, Lines 1-128, by deleting all of said section and inserting in lieu thereof, the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a

greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet

between the extremes

of any group of two or

more consecutive axles,

measured to the nearest

foot, except where

indicated otherwise

feet	2 axles	3 axles	Maximum load in pounds		
			4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000

41	60,000	69,500	73,500	78,500
42	60,000	70,000	74,000	79,000
43	60,000	70,500	75,000	80,000
44	60,000	71,500	75,500	80,000
45	60,000	72,000	76,000	80,000
46	60,000	72,500	76,500	80,000
47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in [subsection] **subsections 9 and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36]. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection, shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 10** was adopted.

Representative Shumake offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 7, Section 301.147, Line 29, by inserting immediately after said line the following:

“302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed **or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license**, but not where [the] a license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license.

302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:

(1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States; and

(2) Payment of the fee for the driver's license or identification card authorized under this chapter.

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

3. The department of revenue may determine the appropriate placement of the veteran designation on the driver's licenses and identification cards authorized under this section and may promulgate the necessary rules for administration of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shumake, **House Amendment No. 11** was adopted.

Representative Solon offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

“260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. If a city or political subdivision intends to expand solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city or political subdivision intends to expand.

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hough offered **House Substitute Amendment No. 1 for House Amendment No. 12.**

*House Substitute Amendment No. 1
for
House Amendment No. 12*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

“260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area

or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. **If a home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants intends to expand solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city or political subdivision intends to expand.**

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Substitute Amendment No. 1 for House Amendment No. 12** was adopted.

Representative Pollock offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 35, Section 537.293, Line 13, by inserting after all of said section and line the following:

“Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 13** was adopted.

On motion of Representative Burlison, **HCS SS SCS SB 470, as amended**, was adopted.

On motion of Representative Burlison, **HCS SS SCS SB 470, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Anders	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gosen	Grisamore	Guernsey	Haefner

Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Swinger	Talboy	Thomson	Wallingford
Webber	Wells	Weter	White	Wright
Zerr	Mr Speaker			

NOES: 040

Asbury	Atkins	Brown 85	Carlson	Carter
Ellinger	Ellington	Fuhr	Hodges	Hubbard
Hummel	Jones 63	Kirkton	Lampe	Marshall
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Smith 71	Spreng	Still	Swearingen
Taylor	Torpey	Walton Gray	Webb	Wieland

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 015

Aull	Brattin	Brown 50	Colona	Day
Gatschenberger	Holsman	Hughes	Largent	Lauer
Meadows	Nolte	Schad	Stream	Wyatt

Representative Keeney declared the bill passed.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 893**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **SS SB 854**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Judicial Reform, Chairman Smith (150) reporting:

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **SCS SJR 51**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **SCS SB 788**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS#2 SCS SB 480 - Fiscal Review
HCS SCS SB 563 - Fiscal Review
HCS SCS SB 631 - Fiscal Review
HCS SCS SB 673 - Fiscal Review
SCS SB 789 - Fiscal Review

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 568

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 568, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 2 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 6 and House Amendment No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 568, as amended;
2. The Senate recede from its position on Senate Bill No. 568;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 568, as amended be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Parson
/s/ Bill Stouffer
/s/ Ron Richard
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Ward Franz
/s/ Ryan Silvey
/s/ Wanda Brown
/s/ Tim Meadows

ADJOURNMENT

On motion of Representative Riddle, the House adjourned until 10:00 a.m., Tuesday, May 8, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, May 8, 2012, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 2062, HB 2067

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, May 9, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued discussion of DHSS, DMH, & DSS policies and procedures

CONFERENCE COMMITTEE

Tuesday, May 8, 2012, 12:00 PM House Lounge.

Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Wednesday, May 9, 2012, 8:30 AM House Lounge.

Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 9, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: SS SCS SB 677

Executive session will be held: SS SCS SB 677

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 9, 2012, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

FISCAL REVIEW

Thursday, May 10, 2012, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

GENERAL LAWS

Tuesday, May 8, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 835

Executive session will be held: SCS SB 835

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, May 8, 2012, 12:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Wednesday, May 9, 2012, Upon Morning Recess House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 8, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, May 9, 2012, 8:00 AM House Hearing Room 7.

Executive session will be held: HCS SCS SB 729

Executive session may be held on any matter referred to the committee.

RETIREMENT

Tuesday, May 8, 2012, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 625

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Tuesday, May 8, 2012, 4:00 PM or Upon Afternoon Recess or Afternoon Adjournment, whichever the case may be, House Hearing Room 6.

Executive session will be held: HCR 55, HCR 57, HCS HJR 64, SS SCS SBs 489 & 637, SS SCS SB 576, SS SCS SB 633, HCS SS SCS SB 682, HCS SCS SB 711, HCS SB 739, HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, SCS SB 788, SCR 24, SCS SJR 51
Executive session may be held on any or all bills which have been referred to this committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, May 8, 2012, Upon Morning Recess House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Informational meeting, presentation by Ram Diagnostics

WAYS AND MEANS

Wednesday, May 9, 2012, 6:30 PM or Upon Evening Adjournment, whichever is later, Domenico's Restaurant & Lounge.

CORRECTED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, May 8, 2012, 9:30 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-NINTH DAY, TUESDAY, MAY 8, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant
- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough

- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin
- 20 HB 1357 - Gatschenberger
- 21 HCS HB 1846 - Long
- 22 HCS HB 1585 - Cross
- 23 HCS HB 1971 - Schneider
- 24 HB 1690 - May
- 25 HB 1728 - Johnson
- 26 HB 1790 - Torpey
- 27 HCS HB 1970 - Jones (117)
- 28 HB 1144 - Gatschenberger
- 29 HB 1394 - Brandom
- 30 HB 1456 - Black
- 31 HCS HB 1609 - Nasheed
- 32 HCS HB 1612 - Burlison
- 33 HB 2038 - Wallingford

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1328 - Cox
- 2 HCS HB 1922 - Molendorp
- 3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee

HOUSE BILLS FOR THIRD READING - INFORMAL

- 1 HB 1277 - Long
- 2 HB 1431 - Hoskins

SENATE BILLS FOR THIRD READING

- 1 SCS SB 566 - Jones (117)
- 2 HCS SB 578 - Cox
- 3 SS SCS SB 699 - Fuhr
- 4 HCS SS SCS SB 469 - Smith (150)
- 5 HCS SS SCS SB 595, E.C. - Torpey
- 6 HCS SCS SB 591 - Franz

- 7 HCS SB 620 - Gosen
- 8 HCS SB 628 - Kelly (24)
- 9 HCS SCS SB 635 - Phillips
- 10 HCS SB 636 - Diehl
- 11 SS SB 665 - Asbury
- 12 HCS SCS SB 726 - Wells
- 13 SS SCS SB 689 - Schad
- 14 SS SB 607 - Burlison
- 15 SCS SB 715 - Day
- 16 HCS#2 SCS SB 480, (Fiscal Review 5/7/12) - Riddle
- 17 HCS SCS SB 485 - Kelly (24)
- 18 HCS SCS SB 563, (Fiscal Review 5/7/12), E.C. - Leach
- 19 SB 599 - Dieckhaus
- 20 HCS SCS SB 631, (Fiscal Review 5/7/12) - Reiboldt
- 21 HCS SCS SB 673, (Fiscal Review 5/7/12) - Day
- 22 SCS SB 789, (Fiscal Review 5/7/12) - Cox
- 23 HCS SB 813 - Brandom
- 24 HCS SCS SB 856 - Barnes

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HB 1106, as amended - Dugger
- 2 HB 1188, SCA 1 - Allen
- 3 SCS HCS HB 1495 - Nance
- 4 SCS HB 1112 - Gosen
- 5 SCS HCS HB 1042, as amended - Thomson
- 6 SS SCS HCS HB 1400, E.C. - Richardson
- 7 HB 1250, with SA 1 & SA 2 - Ruzicka
- 8 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641,
HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended - Marshall
- 9 SS HB 1128 - Largent
- 10 HB 1103, with SA 1 & SA 2 - Crawford
- 11 SCS HB 1460 - Jones (117)

BILLS CARRYING REQUEST MESSAGES

- 1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
- 2 SS SCS HB 1073 and HCS HB 1477, as amended, (request Senate recede/grant conference) -
Sater
- 3 SCS HB 1135, as amended, (request Senate recede/grant conference) - Smith (150)

BILLS IN CONFERENCE

- 1 CCR HCS SB 568, as amended, E.C. - Franz
- 2 SS SCS HCS HB 2002 - Silvey
- 3 SS SCS HCS HB 2003 - Silvey
- 4 SS SCS HCS HB 2004 - Silvey
- 5 SS SCS HCS HB 2005 - Silvey
- 6 SS SCS HCS HB 2006, as amended - Silvey
- 7 SS SCS HCS HB 2007 - Silvey
- 8 SS SCS HCS HB 2008 - Silvey
- 9 SS SCS HCS HB 2009 - Silvey
- 10 SS SCS HCS HB 2010 - Silvey
- 11 SS SCS HCS HB 2011, as amended - Silvey
- 12 SS SCS HCS HB 2012 - Silvey
- 13 SS SCS HCS HB 2013 - Silvey
- 14 SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
- 15 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
- 16 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. -
Brown (116)
- 17 HCS SCS SB 569, as amended - Dugger

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl
- 3 SCR 25 - Hampton

HOUSE RESOLUTIONS

HR 1880 - Burlison

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-NINTH DAY, TUESDAY, MAY 8, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He that doeth the will of God abideth forever. (John 2:17)

God of Grace and God of Glory, pour Your power upon us as we wait upon You in prayer on this beautiful May morning. In days of darkness we have no light but Yours, in times of trouble no refuge but in You, in periods of perplexity no strength but the strength You bestow upon the believing heart. To You do we commit ourselves and our state praying that in weakness we may be made strong, restless may we find rest in You, and when confused may we be aware of Your presence.

Grant us the courage to walk in the way of Your commandments, the confidence to do Your will and the consciousness that You are with us every moment of every day. So may we live as we pray and as we pray so may we live.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Matthew Maas.

The Journal of the sixty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2975 through House Resolution No. 3023

THIRD READING OF SENATE BILL

SS SB 607, relating to outdoor advertising, was taken up by Representative Burlison.

SS SB 607 was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 569, as amended**: Senators Kraus, Engler, Ridgeway, Justus and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SB 611, as amended**: Senators Lembke, Stouffer, Kehoe, McKenna and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS SB 719, as amended**: Senators Kehoe, Schmitt, Goodman, McKenna and Wright-Jones.

RECESS

On motion of Representative Jones (89), the House recessed until 11:30 a.m.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

THIRD READING OF SENATE BILL

SCS SB 715, relating to members of the state militia, was taken up by Representative Day.

Representative Allen offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 715, Page 1, the Title, by deleting the words "the state militia" and inserting in lieu thereof the following:

"entities receiving state funds"; and

Further amend said substitute, Page 1, Section 41.050, Line 12, by inserting immediately after said line the following:

"42.300. 1. There is hereby created in the state treasury the "Veterans Commission Capital Improvement Trust Fund" which shall consist of money collected under section 313.835. The state treasurer shall administer the veterans commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans commission for:

- (1) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;
- (2) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;
- (3) Fund transfers to Missouri veterans' homes fund established under the provisions of section 42.121, as necessary to maintain solvency of the fund;

(4) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans commission prior to July 1, 2004;

(5) The issuance of matching fund grants for veterans' service officer programs to any federally chartered veterans' organization or municipal government agency that is certified by the Veterans Administration to process veteran claims within the Veterans Administration System; provided that such veterans' organization has maintained a veterans' service officer presence within the state of Missouri for the three-year period immediately preceding the issuance of any such grant. A total of one million five hundred thousand dollars in grants shall be made available annually for service officers and joint training and outreach between veterans' service organizations and the Missouri veterans commission with grants being issued in July of each year. Application for the matching grants shall be made through and approved by the Missouri veterans commission based on the requirements established by the commission;

(6) For payment of Missouri national guard and Missouri veterans commission expenses associated with providing medals, medallions and certificates in recognition of service in the armed forces of the United States during World War II, the Korean Conflict, and the Vietnam War under sections 42.170 to 42.226. Any funds remaining from the medals, medallions and certificates shall not be transferred to any other fund and shall only be utilized for the awarding of future medals, medallions, and certificates in recognition of service in the armed forces; [and]

(7) Fund transfers totaling ten million dollars to any municipality with a population greater than three hundred fifty thousand inhabitants and located in part in a county with a population greater than six hundred thousand inhabitants and with a charter form of government, for the sole purpose of the construction, restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I; **and**

(8) The administration of the Missouri veterans commission.

2. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund under this section. Notwithstanding the provisions of section 33.080, to the contrary, moneys in the veterans commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

3. Upon request by the veterans commission, the general assembly may appropriate moneys from the veterans commission capital improvement trust fund to the Missouri national guard trust fund to support the activities described in section 41.958.

4. The state auditor shall conduct an audit of all moneys in the veterans commission capital improvement trust fund every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly, governor, and lieutenant governor no later than ten business days after the completion of such audit.

161.215. 1. There is hereby created in the state treasury the "Early Childhood Development, Education and Care Fund" [which shall consist of money collected under section 313.835 and] which is created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten under section 160.053 to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten. **For fiscal year 2013 and each subsequent fiscal year, at least thirty-five million dollars of the funds received from the master settlement agreement, as defined in section 196.1000, shall be deposited in the early childhood development, education and care fund.**

2. No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this subsection to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys under the provisions of this subsection and additional moneys as appropriated by the general assembly shall be appropriated to the department

of elementary and secondary education and twenty percent of such moneys under the provisions of this subsection shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants:

- (1) Grants or contracts may be provided for:
 - (a) Start-up funds for necessary materials, supplies, equipment and facilities; and
 - (b) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;
- (2) Grant and contract applications shall, at a minimum, include:
 - (a) A funding plan which demonstrates funding from a variety of sources including parental fees;
 - (b) A child development, education and care plan that is appropriate to meet the needs of children;
 - (c) The identity of any partner agencies or contractual service providers;
 - (d) Documentation of community input into program development;
 - (e) Demonstration of financial and programmatic accountability on an annual basis;
 - (f) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation to the department of elementary and secondary education and commitment to compliance with the requirements of the department of social services, if funding comes from the department of social services; and
 - (g) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;
- (3) In awarding grants and contracts under this subdivision, the departments may give preference to programs which:
 - (a) Are new or expanding programs which increase capacity;
 - (b) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;
 - (c) Are programs designed for special needs children;
 - (d) Are programs that offer services during nontraditional hours and weekends; or
 - (e) Are programs that serve a high concentration of low-income families.

3. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. Section 9858c(c)(2)(A) and 42 U.S.C. Section 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized under subsection 2 of this section.

4. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child-care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization.

5. No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods.

6. In setting the value of parental certificates under subsection 3 of this section and payments under subsection 5 of this section, the department of social services may increase the value based on the following:

- (1) The adult caretaker of the children successfully participates in the parents as teachers program under the provisions of sections 178.691 to 178.699, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. Section 9832 or a similar program approved by the department;
- (2) The adult caretaker consents to and clears a child abuse or neglect screening under subdivision (1) of subsection 2 of section 210.152; and
- (3) The degree of economic need of the family.

7. The department of elementary and secondary education and the department of social services each shall by rule promulgated under chapter 536 establish guidelines for the implementation of the early childhood development, education and care programs as provided in subsections 2 to 6 of this section.

8. The state auditor shall conduct an audit of all moneys in the early childhood development, education and care fund created in subsection 1 of this section every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly no later than ten business days after the completion of such audit.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

161.216. 1. No quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education or its successor, or any training or credentialing may be established, created, or operated within this state, unless the authority to create or operate such a quality rating system is enacted into law by the federal government or through:

- (1) A bill as prescribed by article III of the Missouri Constitution;**
- (2) An initiative petition as prescribed by section 50 of article III of the Missouri Constitution; or**
- (3) A referendum as prescribed by section 52(a) of article III of the Missouri Constitution.**

No quality rating system, improvement system, evaluation system, training quality assurance system or its successor for early childhood education shall be enacted under this section unless such system allows for ratings or evaluations to be conducted by no fewer than three nationally or regionally recognized organizations that reflect the composition and diversity of the early childhood program market.

2. In no case shall the authority for establishing, administering, or operating a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education in Missouri be based upon an executive order issued by the governor of Missouri.

3. No department, board, commission, committee, council, agency, instrumentality, quasi-governmental entity, or political subdivision of the state of Missouri shall promulgate any rule or establish any program, policy, guideline, or plan or change any rule, program, policy, guideline, or plan to implement, establish, create, administer, or otherwise operate a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such department, board, commission, committee, council, agency, instrumentality, or political subdivision has received statutory authority to do so in a manner consistent with subsection 1 of this section.

4. No department, board, commission, committee, council, agency, instrumentality, political subdivision of this state, public officer, or quasi-governmental entity shall apply for, accept, or expend any moneys directly or indirectly related to the creation, implementation, or operation of a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such acceptance or expenditure is authorized by statute or an appropriations bill, irrespective of the source of such moneys.

5. No department, board, commission, committee, council, agency, instrumentality, political subdivision of this state, public officer, or quasi-governmental entity shall accept or expend any moneys from the gaming commission fund created in section 313.835 for anything directly or indirectly related to the creation, implementation, or operation of a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such acceptance or expenditure is authorized by statute or an appropriations bill.

6. No department, board, commission, committee, council, agency, instrumentality, political subdivision, public officer, or quasi-governmental entity, shall enter into any agreement or any obligation to establish, administer, or operate a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such department, board, commission, committee, council, agency, instrumentality, political subdivision, public officer, or quasi-governmental entity has received statutory authority to enter into such agreements or obligations. No department, board, commission, committee, council, agency, instrumentality, political subdivision, public officer, or quasi-governmental entity shall provide assistance or resources of any kind, directly or indirectly, to any department, agency, or public official related to the creation or operation of a quality rating system, improvement system, evaluation system, or training quality assurance

system for early childhood education unless such assistance or resources are authorized by state statute or such assistance or resources are specifically required by law.

7. Any taxpayer of this state or any member of the general assembly shall have standing to bring suit against the state of Missouri or any official, department, division, agency, board, commission, committee, council, political subdivision of this state, public officer, or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

313.835. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year [1999] **2013** and each fiscal year thereafter shall be distributed as follows:

(a) The first [four and one-half] **five** million dollar portion shall be transferred to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;

(b) The second three million dollar portion shall be transferred to the veterans' commission capital improvement trust fund created in section 42.300;

(c) The third [three] **four** million dollar portion shall be transferred to the Missouri national guard trust fund created in section 41.214;

(d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund [except as provided in paragraphs (e) and (f) of this subdivision, and], after the appropriations **are** made pursuant to the provisions of paragraphs (a), (b), and (c) of this subdivision, shall be transferred to the [early childhood development, education and care fund created in section 161.215];

(e) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-eight million dollars: one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107; three million dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans' commission capital improvement trust fund; and one million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri national guard trust fund created in section 41.214;

(f) Beginning in fiscal year 2011 and each fiscal year thereafter when the funding for early childhood education under paragraph (d) of this subdivision equals the funding level for early childhood education under paragraph (d) of this subdivision in fiscal year 2009, one-half of the next one million two hundred thousand dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans commission capital improvement trust fund for the purpose of funding veterans' service officer programs identified under subdivision (5) of subsection 1 of section 42.300, and the other half of the one million two hundred thousand dollars shall be transferred annually, subject to appropriation, to the early childhood development, education and care fund created in section 161.215] **veterans' commission capital improvement trust fund created in section 42.300.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 010

Asbury	Brown 50	Elmer	Franklin	Hinson
Hughes	Lasater	Meadows	Nance	Scharnhorst

On motion of Representative Allen, **House Amendment No. 1** was adopted by the following vote:

AYES: 124

Allen	Anders	Aull	Bahr	Barnes
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison

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Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McDonald	McGhee	McManus	McNary	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 029

Atkins	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hummel	Kirkton	May
McCann Beatty	McCreery	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Schupp	Smith 71	Spreng	Still	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 010

Asbury	Bernskoetter	Brown 50	Franklin	Hinson
Hughes	Jones 63	Lasater	Meadows	Scharnhorst

Representative Webber offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 715, Page 1, Section 41.050, Line 12, by adding all of said section and line the following:

“Section 1. 1. This section shall be known as “Clark’s Law.”

2. No public institution of higher education shall require a member of the national guard to take any test or assessment within twenty-four hours of such member returning from active duty or national guard training.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Webber, **House Amendment No. 2** was adopted.

On motion of Representative Day, **SCS SB 715, as amended**, was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 009

Asbury	Brown 50	Hinson	Hughes	Largent
Lasater	McGhee	Meadows	Taylor	

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1357, relating to alternatives-to-abortion agencies, was taken up by Representative Gatschenberger.

Representative Smith (150) assumed the Chair.

On motion of Representative Gatschenberger, **HB 1357** was ordered perfected and printed.

SENATE CONCURRENT RESOLUTION

SCR 25, relating to Mississippi River flooding, was taken up by Representative Hampton.

On motion of Representative Hampton, **SCR 25** was adopted by the following vote:

AYES: 136

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Cross	Curtman	Davis
Denison	Diehl	Ellinger	Ellington	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Ruzicka	Sater	Schad
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 027

Asbury	Bernskoetter	Brown 50	Cauthorn	Crawford
Day	Dieckhaus	Dugger	Elmer	Entlicher
Franklin	Fuhr	Grisamore	Hinson	Hughes
Jones 117	Kander	Largent	Lasater	McCaherty
Meadows	Rowland	Scharnhorst	Schatz	Talboy
Webber	Wyatt			

HOUSE RESOLUTION

HR 1880, relating to fish, wildlife and natural resources, was taken up by Representative Burlison.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Bahr	Barnes	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cierpiot
Conway 14	Cookson	Cox	Cross	Curtman
Davis	Denison	Diehl	Elmer	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

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ABSENT WITH LEAVE: 023

Asbury	Bernskoetter	Brown 50	Carter	Cauthorn
Conway 27	Crawford	Day	Dieckhaus	Dugger
Entlicher	Franklin	Hinson	Hubbard	Hughes
Largent	Lasater	McNary	Meadows	Pollock
Rowland	Webb	Wells		

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Burlison, **HR 1880** was adopted by the following vote:

AYES: 140

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cierpiot	Colona	Conway 14	Cookson
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Cox	Schad
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PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Bernskoetter	Brown 50	Cauthorn	Conway 27
Crawford	Day	Dugger	Entlicher	Franklin
Hinson	Hubbard	Hughes	Largent	Lasater
McNary	Meadows	Pollock	Rowland	Webb
Wells				

THIRD READING OF SENATE BILL

HCS SCS SB 591, relating to state and local revenues, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 10, Section 34.057, Line 152, by inserting after all of said section and line, the following:

“94.700. The following words, as used in sections 94.700 to 94.755, shall have the following meaning unless a different meaning clearly appears from the context:

(1) "City" shall mean any incorporated city, town, or village in the state of Missouri with a population of one hundred or more, but the term "city" does not include any city not within a county or any city of over four hundred thousand inhabitants wholly or partially within a first class county;

(2) "City transit authority" shall mean a commission or board created by city charter provision or by ordinance of a city, and which operates a public mass transportation system;

(3) "City utilities board" shall mean a board or commission created by city charter provision or by ordinance of a city, which controls and operates city-owned utilities including a public mass transportation system;

(4) "Director of revenue" shall mean the director of revenue of the state of Missouri;

(5) "Interstate transportation authority" shall mean any political subdivision created by compact between this state and another state, which is a body corporate and politic and a political subdivision of both contracting states, and which operates a public mass transportation system;

(6) "Interstate transportation district" shall mean that geographical area set forth and defined in the particular compact between this state and another state;

(7) "Person" shall mean an individual, corporation, partnership, or other entity;

(8) "Public mass transportation system" shall mean a transportation system or systems owned and operated by an interstate transportation authority, a municipality, a city transit authority, or a city utilities board, employing motor buses, rails or any other means of conveyance, by whatsoever type or power, operated for public use in the conveyance of persons, mainly providing local transportation service within an interstate transportation district or municipality;

(9) "Transportation purposes" shall mean financial support of a "public mass transportation system"; the construction, reconstruction, repair and maintenance of streets, roads, **sidewalks, trails, community-owned parking lots**, and bridges within a municipality; the construction, reconstruction, repair and maintenance of airports owned and operated by municipalities; the acquisition of lands and rights-of-way for streets, roads, **sidewalks, trails, community-owned parking lots**, bridges, and airports; and planning and feasibility studies for streets, roads, **sidewalks, trails, community-owned parking lots**, bridges, and airports. "Bridges" shall include bridges connecting a municipality with another municipality either within or without the state, with an unincorporated area of the state, or with another state or an unincorporated area thereof.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Silvey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 23, Section 287.745, Line 14, by inserting after said line the following:

“301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. [Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5.] **The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase.** The temporary permit [shall be made available by the director of revenue and] **authorized under this section** may be purchased **by the purchaser of a motor vehicle or trailer** from the **central office of the** department of revenue **or from an authorized agent of the department of revenue** upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a **motor vehicle** dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, **or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates.** The director [shall] **of the department of revenue or a producer authorized by the director of the department of revenue may** make temporary permits available to registered dealers in this state [or], authorized agents of the department of revenue [in sets of ten permits] **or the department of revenue.** The [fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued] **price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit.** **The director of the department of revenue shall direct motor vehicle dealers**

and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer [or], authorized agent or the department of revenue shall charge more than [seven dollars and fifty cents] **five dollars** for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a **motor vehicle** dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. **Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.**

[6.] **5.** The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's [use in the] **temporary** operation of the motor vehicle or trailer purchased to enable the applicant to [legally] **temporarily** operate the **motor** vehicle while proper title and registration [plate] **plates** are being obtained, **or while awaiting receipt of registration plates**, and shall be displayed on no other **motor** vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director of the department of revenue shall determine the size [and], **material, design**, numbering configuration, construction, and color of the permit. **The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.**

[7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit.]

6. Every **motor vehicle** dealer that issues [a] temporary [permit] **permits** shall keep, for inspection [of] by proper officers, [a correct] **an accurate** record of each permit issued by recording the permit [or plate] number, **the motor vehicle dealer's number**, buyer's name and address, **the motor vehicle's** year, make, **and** manufacturer's vehicle identification number [on which the permit is to be used], and the **permit's** date of issuance **and expiration date**. **Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.**

[8.] **7.** Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of **motor** vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

9. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 2** was adopted.

Representative Flanigan offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 1, Section A, Line 7, by inserting after all of said section, the following:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420.**

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.”; and

Further amend said bill, Page 2, Section 32.087, Line 33, by inserting after the words, “local sales tax law.” the following:

“The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.”; and

Further amend said bill, Page 5, section, Line 128, by inserting after all of said section, the following:

“32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due

to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department.”; and

Further amend said bill, Page 10, Section 34.057, Line 152, by inserting after all of said section, the following:

“105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.”; and

Further amend said bill, Page 18, Section 137.115, Line 173, by inserting after all of said section, the following:

“144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. **Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall**

be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.] 7. Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.] 8. For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

- (1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;
- (2) A decision of a court of competent jurisdiction or the administrative hearing commission; or
- (3) Changes in regulations or policy by the department of revenue.

[7.] 9. Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.] 10. If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied.”; and

Further amend said bill, Page 40, Section 643.079, Line 102, by inserting after all of said section, the following:

“Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 3** was adopted.

Representative Diehl offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 24, Section 321.228, Line 26, by inserting after the word “**construction**” on said line, the following:

“**. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 4** was adopted.

Representative Jones (117) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 2, Section 32.087, Lines 25 and 26, by deleting all of said lines from the substitute and inserting in lieu thereof:

“**and outboard motors if they are required to be registered with the department of revenue.** The rate of the tax”; and

Further amend said substitute, Page 18, Section 137.115, Line 173, by inserting immediately after said section the following:

“**144.069. All sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the owner thereof on the date of registration with the department of revenue, and all leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors subject to sales taxes under this chapter shall be deemed to be consummated unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales by the department of revenue on that basis and such sales whether within the boundaries of the state or outside the boundaries of the state shall be deemed consummated at the address of the owner thereof.**

144.072. In repealing sections 32.087, 144.010, 144.069, and 144.757, an enacting five new sections in lieu thereof, it is the intent of the legislature to reject and abrogate that portion of the holding in *Craig A. Street v. Director of Revenue*, Mo. SC91371 (Mo. banc Jan. 31, 2012), interpreting local sales taxes to be inapplicable to out-of-state purchases of motor vehicles, trailers, boats and outboard motors. The legislature hereby declares its reasonable expectations and intent in enacting the taxing statutes for motor vehicles, trailers, boats and outboard motors sales is and has been that all such sales, regardless of the location of the seller, are deemed to

be consummated and take place when the motor vehicles, trailers, boats and outboard motors is registered with the department of revenue, and restores, retroactively and prospectively, the application of Missouri's local sales tax law so that local sales taxes shall continue to be imposed and collected on the sale of all motor vehicles, trailers, boats and outboard motors, regardless of where the motor vehicles, trailers, boats and outboard motors was purchased, upon registration with the department of revenue. This act is remedial and retroactive, and applies to all transactions involving motor vehicles, trailers, boats and outboard motors to the maximum extent permissible by law, but shall not apply to any taxpayer having received a final adjudication of non-taxability if such application would violate the state constitution.”; and

Further amend said substitute, Page 18, Section 144.757, Lines 19-22, by deleting all of said lines from the substitute and inserting in lieu thereof the following:

“state, unless such purchases are not deemed to be consummated at the residence of the purchaser under subdivision (2) of subsection 12 of section 32.087 and therefore subject to the local sales taxes levied by the appropriate political subdivisions under subsection 5 of section 32.087.”; and

Further amend said substitute, Page 40, Section 643.079, Line 102, by inserting immediately after said line the following:

“Section 1. The provisions of sections 32.087, 144.010, 144.069, and 144.757, RSMo, are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment of the merits that is not subject to appeal and that declares any provision or part of said sections unconstitutional or unenforceable, then sections 32.087, 144.010, 144.069, and 144.757, RSMo in their entirety are invalid and shall have no legal effect as of the date of such judgment. In such event, all affected parties shall have the same rights as existed before the enactment of said sections, but shall not be entitled to reimbursement, or required to pay reimbursement, for any sums paid in the good faith belief in the validity and constitutionality of this bill.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered House Amendment No. 1 to House Amendment No. 5.

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 2, Line 26, by inserting after all of said line the following:

“Further amend said bill, Pages 22-23, Section 287.160, Lines 1-41, by deleting all of said section and lines; and

Further amend said bill, Pages 24-26, Section 408.040, Lines 1-42, by deleting all of said section and lines; and

Further amend said bill, Pages 26-28, Section 409.5-509, Lines 1-104, by deleting all of said section and lines; and

Further amend said bill, Pages 29-30, Section 409.6-604, Lines 1-60, by deleting all of said section and lines”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, House Amendment No. 1 to House Amendment No. 5 was adopted.

On motion of Representative Jones (117), **House Amendment No. 5, as amended**, was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	Molendorp	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Sifton	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 023

Bernskoetter	Brown 50	Cauthorn	Colona	Day
Elmer	Entlicher	Franklin	Hinson	Hughes
Largent	Lasater	McGhee	McNary	Meadows
Nance	Schneider	Shively	Swearingen	Walton Gray
Webb	Wyatt	Mr Speaker		

On motion of Representative Franz, **HCS SCS SB 591, as amended**, was adopted.

On motion of Representative Franz, **HCS SCS SB 591, as amended**, was read the third time and passed by the following vote:

AYES: 122

Anders	Aull	Bahr	Barnes	Berry
Black	Brandom	Brown 85	Brown 116	Carlson
Carter	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Diehl	Ellinger
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieffer	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Weter	White
Wright	Zerr			

NOES: 021

Asbury	Atkins	Brattin	Burlison	Curtman
Dugger	Ellington	Fuhr	Higdon	Koenig
Leach	Marshall	Oxford	Pace	Pollock
Schad	Schieber	Schoeller	Smith 150	Wells
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Bernskoetter	Brown 50	Cauthorn	Day
Elmer	Entlicher	Franz	Hinson	Hughes
Largent	Lasater	McGhee	McNary	Meadows
Schneider	Swearingen	Webb	Wyatt	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 128

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Ellinger	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leara	Lichtenegger
Loehner	Long	McCahterty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Newman
Nichols	Nolte	Oxford	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieffer	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wieland	Wright	Zerr		

NOES: 015

Asbury	Burlison	Dugger	Ellington	Franz
Leach	Marshall	May	Pace	Pollock
Schad	Schieber	Schoeller	Smith 150	Wells

PRESENT: 000

ABSENT WITH LEAVE: 020

Bernskoetter	Brown 50	Cauthorn	Day	Elmer
Entlicher	Grisamore	Hinson	Hughes	Hummel
Largent	Lasater	McGhee	McNary	Meadows
Neth	Schneider	Swearingen	Wyatt	Mr Speaker

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Davis.

COMMITTEE REPORTS

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SCS SB 625**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SB 760**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1240**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 655**, begs leave to report it has examined the same and recommends that it **Do Pass**.

The following member's presence was noted: Lasater.

ADJOURNMENT

On motion of Representative Brown (85), the House adjourned until 10:00 a.m., Wednesday, May 9, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, May 9, 2012, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued discussion of DHSS, DMH, & DSS policies and procedures

CONFERENCE COMMITTEE

Wednesday, May 9, 2012, 8:30 AM House Lounge.

Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 9, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: SS SCS SB 677

Executive session will be held: SS SCS SB 677

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 9, 2012, 9:00 AM South Gallery.

Public hearing will be held: HCS SCS SB 673, HCS SCS SB 631, HCS SCS SB 563, HCS#2 SCS SB 480, SCS SB 789

Executive session will be held: HCS SCS SB 673, HCS SCS SB 631, HCS SCS SB 563, HCS#2 SCS SB 480, SCS SB 789

Executive session may be held on any matter referred to the committee.

AMENDED

FISCAL REVIEW

Thursday, May 10, 2012, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Thursday, May 10, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: SCS SB 835

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Wednesday, May 9, 2012, Upon Morning Recess House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 15, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Election of Chairman and Vice-Chairman

LOCAL GOVERNMENT

Wednesday, May 9, 2012, 8:00 AM House Hearing Room 7.

Executive session will be held: HCS SCS SB 729

Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)

Wednesday, May 9, 2012, 5:30 PM South Gallery.

Executive session will be held: HCR 55, HCR 57, HCS HJR 64, SS SCS SBs 489 & 637,

SS SCS SB 576, SS SCS SB 633, HCS SS SCS SB 682, HCS SCS SB 711, HCS SB 739,

HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, SCS SB 788, SCR 24, SCS SJR 51

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Wednesday, May 9, 2012, 6:30 PM or Upon Evening Adjournment, whichever is later, Domenico's Restaurant & Lounge.

CORRECTED

HOUSE CALENDAR

SEVENTIETH DAY, WEDNESDAY, MAY 9, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant
- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough
- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin
- 20 HCS HB 1846 - Long

- 21 HCS HB 1585 - Cross
- 22 HCS HB 1971 - Schneider
- 23 HB 1690 - May
- 24 HB 1728 - Johnson
- 25 HB 1790 - Torpey
- 26 HCS HB 1970 - Jones (117)
- 27 HB 1144 - Gatschenberger
- 28 HB 1394 - Brandom
- 29 HB 1456 - Black
- 30 HCS HB 1609 - Nasheed
- 31 HCS HB 1612 - Burlison
- 32 HB 2038 - Wallingford

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1328 - Cox
- 2 HCS HB 1922 - Molendorp
- 3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee

HOUSE BILLS FOR THIRD READING - INFORMAL

- 1 HB 1277 - Long
- 2 HB 1431 - Hoskins

SENATE BILLS FOR THIRD READING

- 1 SCS SB 566 - Jones (117)
- 2 HCS SB 578 - Cox
- 3 SS SCS SB 699 - Fuhr
- 4 HCS SS SCS SB 469 - Smith (150)
- 5 HCS SS SCS SB 595, E.C. - Torpey
- 6 HCS SB 620 - Gosen
- 7 HCS SB 628 - Kelly (24)
- 8 HCS SCS SB 635 - Phillips
- 9 HCS SB 636 - Diehl
- 10 SS SB 665 - Asbury
- 11 HCS SCS SB 726 - Wells
- 12 SS SCS SB 689 - Schad

- 13 SS SB 607 - Burlison
- 14 HCS#2 SCS SB 480, (Fiscal Review 5/7/12) - Riddle
- 15 HCS SCS SB 485 - Kelly (24)
- 16 HCS SCS SB 563, (Fiscal Review 5/7/12), E.C. - Leach
- 17 SB 599 - Dieckhaus
- 18 HCS SCS SB 631, (Fiscal Review 5/7/12) - Reiboldt
- 19 HCS SCS SB 673, (Fiscal Review 5/7/12) - Day
- 20 SCS SB 789, (Fiscal Review 5/7/12) - Cox
- 21 HCS SB 813 - Brandom
- 22 HCS SCS SB 856 - Barnes

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HB 1106, as amended - Dugger
- 2 HB 1188, SCA 1 - Allen
- 3 SCS HCS HB 1495 - Nance
- 4 SCS HB 1112 - Gosen
- 5 SCS HCS HB 1042, as amended - Thomson
- 6 SS SCS HCS HB 1400, E.C. - Richardson
- 7 HB 1250, with SA 1 & SA 2 - Ruzicka
- 8 SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB 1269, HB 1641,
HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878, as amended - Marshall
- 9 SS HB 1128 - Largent
- 10 HB 1103, with SA 1 & SA 2 - Crawford
- 11 SCS HB 1460 - Jones (117)

BILLS CARRYING REQUEST MESSAGES

- 1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
- 2 SS SCS HB 1073 and HCS HB 1477, as amended, (request Senate recede/grant conference)
- Sater
- 3 SCS HB 1135, as amended, (request Senate recede/grant conference) - Smith (150)

BILLS IN CONFERENCE

- 1 CCR HCS SB 568, as amended, E.C. - Franz
- 2 SS SCS HCS HB 2002 - Silvey
- 3 SS SCS HCS HB 2003 - Silvey
- 4 SS SCS HCS HB 2004 - Silvey
- 5 SS SCS HCS HB 2005 - Silvey
- 6 SS SCS HCS HB 2006, as amended - Silvey
- 7 SS SCS HCS HB 2007 - Silvey
- 8 SS SCS HCS HB 2008 - Silvey
- 9 SS SCS HCS HB 2009 - Silvey
- 10 SS SCS HCS HB 2010 - Silvey
- 11 SS SCS HCS HB 2011, as amended - Silvey
- 12 SS SCS HCS HB 2012 - Silvey

- 13 SS SCS HCS HB 2013 - Silvey
- 14 SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
- 15 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
- 16 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. -
Brown (116)
- 17 HCS SCS SB 569, as amended - Dugger

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTIETH DAY, WEDNESDAY, MAY 9, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Lord, who shall abide in Thy tabernacle? Who shall dwell on Thy holy hill? He that walketh uprightly and worketh righteousness, and speaketh the truth in his heart. (Psalm 15:1-2)

O God, Who is never far from any one of us, for in You we live and move and have our being, help us to be aware of Your presence, to walk in the way of our faith and to receive Your love which daily is offered to us. Give to us such a regard for truth, such a desire for guidance, and such a readiness to love that we may go beyond all doubt and discouragement and center our minds on You for You will keep us in perfect peace whose minds are stayed on You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Thomas Beckwith, Reagan Inman, John Pope, Maxine Pope, Maddy Stewart and Jake Stewart.

The Journal of the sixty-ninth day was approved as printed.

SPECIAL RECOGNITION

Trooper David Crank, Sergeant Richard Sanders and Corporal Shane Stewart, Troop E, Missouri State Highway Patrol, were introduced by Representative Keeney and recognized as Outstanding Missourians.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3024 through House Resolution No. 3101

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 563**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 631**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 673**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 789**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1106, as amended, relating to county collectors, was taken up by Representative Dugger.

On motion of Representative Dugger, **SS HCS HB 1106, as amended**, was adopted by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson

Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Cox	Hodges	Hughes	Meadows
Nasheed	Smith 150	Webb	Webber	

On motion of Representative Dugger, **SS HCS HB 1106, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Brown 50	Brown 116	Dieckhaus	Fitzwater
Frederick	Holsman	Hughes	Meadows	Nasheed
Ruzicka	Swearingen	Webb	Webber	

Speaker Tilley declared the bill passed.

HB 1188, with Senate Committee Amendment No. 1, relating to administration of asthma medication, was taken up by Representative Allen.

On motion of Representative Allen, the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 50	Cierpiot	Dieckhaus	Ellinger	Franz
Guernsey	Holsman	Hubbard	Hughes	Meadows
Nasheed	Webb	Webber		

On motion of Representative Allen, **HB 1188, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Dieckhaus	Franz	Hughes	Lair
Meadows	Nasheed	Scharnhorst	Webb	Webber
Wyatt				

Speaker Tilley declared the bill passed.

THIRD READING OF SENATE BILL

SCS SB 566, relating to rabies vaccinations, was taken up by Representative Jones (117).

Representative Loehner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 566, Page 1, Section 322.005, Lines 10-17, by deleting all of said lines and inserting in lieu there of the following:

“(6) “Vaccinated against rabies”, in receipt of a primary rabies”; and

Further amend said bill and section, Page 2, by deleting the number **“(7)”** and inserting in lieu thereof the number **“(6)”**; and

Further amend said bill, page and section, Lines 24-35, by deleting all of said lines and inserting in lieu thereof the following:

“2. If there is a reasonable suspicion that a person may have been exposed to rabies from contact with a dog or cat, the owner of the dog or cat shall provide documentation that the animal has been vaccinated against rabies or the owner shall surrender the animal to the proper authorities, including but not limited to law enforcement, a public health official, or a licensed veterinarian. A licensed veterinarian shall determine the proper course of action for examining the dog or cat. If a licensed veterinarian deems it necessary for the immediate health of the injured person, the dog or cat may be euthanized.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCaherty assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey

Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 50	Day	Franz	Haefner
Hughes	Largent	Meadows	Riddle	Scharnhorst
Talboy	Webber			

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

Representative Jones (117) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 566, Page 1, Section 322.005, Line 5, by deleting all of said line and inserting in lieu thereof the following:

“(3) “Harbor”, to feed or shelter an animal at the same location for fourteen or more consecutive days;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig

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Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 50	Cross	Day	Denison
Hughes	Kelly 24	Meadows	Nasheed	Scharnhorst
Talboy	Webber			

On motion of Representative Jones (117), **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle

Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 050

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brattin	Brown 50	Day	Denison
Hughes	Keeney	Leach	Meadows	Pace
Schneider	Webb	Webber	Wyatt	Mr Speaker

On motion of Representative Jones (117), **SCS SB 566, as amended**, was read the third time and passed by the following vote:

AYES: 092

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 85	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cross	Dieckhaus	Diehl	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Frederick	Funderburk	Gatschenberger	Grisamore
Harris	Hinson	Hodges	Holsman	Hough
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kelley 126	Kelly 24	Klippenstein	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	Long	May
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Montecillo	Nasheed	Neth
Nichols	Phillips	Redmon	Reiboldt	Riddle
Rizzo	Sater	Scharnhorst	Schatz	Schieffer
Schupp	Shively	Shumake	Sifton	Silvey
Solon	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Wallingford	Wright
Zerr	Mr Speaker			

NOES: 061

Asbury	Bahr	Barnes	Brown 116	Burlison
Conway 14	Cookson	Cox	Crawford	Curtman
Davis	Dugger	Ellington	Elmer	Franklin

Franz	Fuhr	Gosen	Guernsey	Hampton
Higdon	Hoskins	Houghton	Kander	Kirkton
Koenig	Korman	Lasater	Leach	Marshall
McCaherty	McCreery	Molendorp	Morgan	Nance
Newman	Nolte	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Richardson	Rowland
Ruzicka	Schad	Schieber	Schneider	Schoeller
Smith 71	Smith 150	Sommer	Spreng	Thomson
Walton Gray	Wells	Weter	White	Wieland
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brattin	Brown 50	Day	Denison	Haefner
Hughes	Keeney	Meadows	Webb	Webber

Representative McCaherty declared the bill passed.

BILL IN CONFERENCE

SS SCS HCS HB 2003, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House conferees be allowed to exceed the differences on **SS SCS HCS HB 2003**.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SB 578, relating to state property, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

“Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in property in Farmington, St. Francois County, Missouri, described as follows:

TRACT A

**(Property north of cemetery and south of Doubet Road)
Part of Lots 85 and 94 of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, more particularly described as follows:**

From the southeast corner of said Lot 85; thence N82°17'32"W, along the southerly line of said Lot 85, 1134.20 feet; thence N8°01'10"E, 181.95 feet to the POINT OF BEGINNING for this description; thence N82°17'57"W, 537.96 feet to the easterly line of a 30 foot road; thence N7°08'47"E, 1166.91 feet; thence S81°30'19"E, 260.68 feet; thence N9°01'04"E, 206.03 feet to

the northerly line of said Lot 94; thence S82°11'48"E, along the northerly line of said Lots 94 and 85, 291.47 feet; thence S8°01'10"W, 1368.72 feet to the point of beginning. Containing 16.00 acres.

EXCEPT all that part of right-of-way of DOUBET ROAD

TRACT B

Part of Lot 94 of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, more particularly described as follows:

From the southeast corner of Lot 85 of said U.S. Survey 2969; thence N82°17'32"W, along the southerly line of said Lot 85, 1134.20 feet; thence N8°01'10"E, 181.95 feet; thence N82°17'57"W, 537.96 feet to the easterly line of a 30 foot road; thence N7°08'47"E, 320.10 feet to the POINT OF BEGINNING for this description; thence N81°42'19"W, 330.73 feet to the westerly line of a tract of land described by deed of record in Book 1164, page 627, St. Francois County Recorder's Office; thence N7°02'28"E, along the easterly line of said tract, 218.13 feet to the southwesterly corner of a tract of land described by deed of record in Book 834, page 413, St. Francois County Recorder's Office; thence S82°21'13"E, along the southerly line of said tract, described in Book 834, page 413, 331.08 feet to the southeasterly corner thereof also being the easterly line of a 30 foot wide roadway; thence S7°08'47"W, along the easterly line of said roadway, 221.87 feet to the point of beginning. Containing 1.67 acres.

EXCEPT a roadway 30 foot wide off the east side of the above described tract identified as Pullan Road in plats of record.

TRACT C

Part of Lot 94 of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, more particularly described as follows:

From the southeast corner of Lot 85 of said U.S. Survey 2969; thence N82°17'32"W, along the southerly line of Lot 85 and the southerly line of Lot 94, 1669.38 feet to the POINT OF BEGINNING for this description; thence continuing N82°17'32"W, along the southerly line of said Lot 94, 329.75 feet to the southeasterly corner of a tract of land described by deed of record in Book 1164, page 627, St. Francois County Recorder's Office; thence N7°02'28"E, along the easterly line of said tract, 505.39 feet; thence S81°42'19"E, 330.73 feet to the easterly line of a 30 foot road; thence S7°08'47"W, along the easterly line of said road, 501.99 feet to the point of beginning. Containing 3.81 acres.

EXCEPT a roadway 30 foot wide off the east side of the above described tract identified as Pullan Road in plats of record.

The property hereby authorized to be conveyed by the governor shall be verified by a survey. Such survey shall be authorized by the division of facilities, management, design and construction of the office of administration pursuant to this section.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 578, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Korman offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

“Section 13. If the state highways and transportation commission transfers, sells, or conveys the property contained in sections 1 through 12 of section A of this act within two years of August 28, 2012, it shall use a public auction method except for transfers, sales, or conveyances to an adjacent property owner, public institution, political subdivision, or utility.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 3** was adopted.

Representative Cox offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting immediately after said line the following:

“Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in property located at the Farmington Correctional Center in Farmington, St. Francois County, Missouri, described as follows:

INGRESS AND EGRESS EASEMENT

A strip of land 30 feet wide across part of Lot 70 and 71 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois County, Missouri, said 30 foot strip lying 15.00 feet each side of and adjacent to the following described centerline:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S06°20'17"W, 216.36 feet; thence S57°50'37"E, 82.27 feet to the POINT OF BEGINNING for this centerline description; thence northeasterly, on a curve to the right having a radius of 246.00 feet, an arc length of 187.61 feet, (the chord of said curve being N61°05'42"E, 183.10 feet); thence N82°56'37"E, 29.02 feet; thence easterly, on a curve to the right having a radius of 350.00 feet, an arc length of 87.32 feet, (the chord of said curve being S89°54'34"E, 87.09 feet); thence S82°45'45"E, 257.95 feet; thence easterly, on a curve to the right having a radius of 400.00 feet, an arc length of 91.45 feet, (the chord of said curve being S76°12'46"E, 91.25 feet); thence S69°39'46"E, 36.75 feet; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 177.87 feet, (the chord of said curve being S49°16'50"E, 174.14 feet); thence S28°53'54"E, 29.12 feet; thence southerly, on a curve to the right having a radius of 150.00 feet, an arc length of 85.38 feet, (the chord of said curve being S12°35'32"E, 84.23 feet); thence S03°42'50"W, 143.95 feet; thence S82°45'45"E, 51.95 feet to the point of termination.

Except all that part of Lot 2 of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office, St. Francois County, Missouri.

Except all that part of Perrine Road right-of-way.

TRACT 1

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

BEGINNING at a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence northwesterly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 91.45 feet (the chord of said curve being N76°12'46"W, 91.25 feet); thence N82°45'45"W, 257.95 feet; thence westerly on a curve to the left having a radius of 350.00 feet, an arc length of 87.32 feet (the chord of said curve being N89°54'34"W, 87.09 feet); thence S82°56'37"W, 29.02 feet; thence southwesterly on a curve to the left having a radius of 246.00 feet, an arc length of 187.61 feet (the chord of said curve being S61°05'42"W, 183.10 feet); thence N57°50'37"W, 82.27 feet; thence N06°20'17"E, 216.36 feet to the point of beginning. Containing 2.67 acres.

Subject to the northerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 2

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof, and the POINT OF BEGINNING for this description; thence S82°45'45"E, along the southerly boundary of said Habitat for Humanity Subdivision, 167.67 feet to the southeasterly corner thereof; thence S06°25'52"W, 321.27 feet; thence N82°45'45"W, 24.78 feet; thence N03°42'50"E, 128.92 feet; thence northerly, on a curve to the left having a radius of 150.00 feet, an arc length of 85.38 feet (the chord of said curve being N12°35'32"W, 84.23 feet); thence N28°53'54"W, 29.12 feet; thence northwesterly on a curve to the left having a radius of 250.00 feet, an arc length of 128.08 feet (the chord of said curve being N43°34'33"W, 126.69 feet); thence N31°44'48"E, 10.73 feet to the point of beginning. Containing 0.44 acres.

Subject to the northeasterly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 3

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S82°45'45"E, along the southerly boundary of said Habitat for Humanity Subdivision, 167.67 feet to the southeasterly corner thereof; thence S06°25'52"W, 321.27 feet; thence N82°45'45"W, 24.78 feet to the POINT OF BEGINNING for this description; thence N82°45'45"W, 160.55 feet; thence N17°45'13"W, 148.11 feet; thence N40°06'01"E, 190.20 feet; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 91.64 feet (the chord of said curve being S39°23'56"E, 91.12 feet); thence S28°53'54"E, 29.12 feet; thence southerly, on a curve to the right having a radius of 150.00 feet, an arc length of 85.38 feet (the chord of said curve being S12°35'32"E, 84.23 feet); thence S03°42'50"W, 128.92 feet to the point of beginning. Containing 1.03 acres.

Subject to the westerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 4

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet to the POINT OF BEGINNING for this description; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 36.45 feet (the chord of said curve

being S54°04'35"E, 36.42 feet); thence S40°06'01"W, 190.20 feet; thence N82°45'45"W, 100.00 feet; thence N19°19'50"E, 213.97 feet; thence easterly, on a curve to the right having a radius of 400.00 feet, an arc length of 44.27 feet (the chord of said curve being S72°50'00"E, 44.25 feet); thence S69°39'46"E, 36.75 feet; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being S63°57'29"E, 49.70 feet) to the point of beginning. Containing 0.61 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 5

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence westerly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 44.27 feet (the chord of said curve being N72°50'00"W, 44.25 feet) to the POINT OF BEGINNING for this description; thence S19°19'50"W, 213.97 feet; thence N82°45'45"W, 128.00 feet; thence N07°14'15"E, 212.00 feet; thence S82°45'45"E, 125.75 feet; thence easterly on a curve to the right having a radius of 400.00 feet, an arc length of 47.18 feet (the chord of said curve being S79°23'00"E, 47.15 feet) to the point of beginning. Containing 0.73 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 6

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence westerly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 91.45 feet (the chord of said curve being N76°12'46"W, 91.25 feet); thence N82°45'45"W, 125.75 feet to the POINT OF BEGINNING for this description; thence S07°14'15"W, 212.00 feet; thence N82°45'45"W, 125.00 feet; thence N05°17'10"W, 214.89 feet; thence easterly, on a curve to the right having a radius of 350.00 feet, an arc length of 39.49 feet (the chord of said curve being S85°59'40"E, 39.47 feet); thence N82°45'45"W, 132.20 feet to the point of beginning. Containing 0.72 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 7

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence westerly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet, (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 91.45 feet, (the chord of said curve being N76°12'46"W, 91.25 feet); thence N82°45'45"W, 257.95 feet; thence westerly, on a curve to the left having a radius of 350.00 feet, an arc length of 39.49 feet, (the chord of said curve being N85°59'40"W, 39.47 feet) to the POINT OF BEGINNING for this description; thence S05°17'10"E, 214.89 feet; thence N82°45'45"W, 84.46 feet; thence N57°50'37"W, 204.13 feet; thence northeasterly, on a curve to the right having a radius of 246.00 feet, an arc length of 187.61 feet, (the chord of said curve being N61°05'42"E, 183.10 feet); thence N82°56'37"E, 29.02 feet; thence easterly, on a curve to the right having a radius of 350.00 feet, an arc length of 47.83 feet, (the chord of said curve being N86°51'30"E, 47.79 feet) to the point of beginning. Containing 0.80 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

The property hereby authorized to be conveyed by the governor shall be verified by a survey. Such survey shall be authorized by the division of facilities, management, design and construction of the office of administration pursuant to this section.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative Pollock offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

“Section 13. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 14. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 5** was adopted.

Representative Black offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 578, Page 1, Section A, Line 2, by inserting after all of said line the following:

“227.505. The portion of highway 8 in St. Francois County from the intersection of Hunt Street east for a distance of one mile shall be designated the "Chief of Police Jerry E. Hicks Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 6** was adopted.

Representative Burlison offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said line the following:

"Section 13. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a perpetual street right of way in property owned by Missouri State University to the city of Springfield. The property to be conveyed is located at National Avenue and Monroe Street and is more particularly described as follows:

TRACT A

BEING A PART OF LOT 60 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2339, PAGE 519 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE NORTH 1.05 FEET OF THE EAST 15.78 FEET OF LOT 60, BIGGS AND GRAY'S ADDITION.

CONTAINING 17 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT B

BEING A PART OF LOTS 54 AND 55 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2276, PAGE 383 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 54, AND BEING ON THE SOUTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE S88°54'15"E, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 174.58 FEET TO THE SOUTHEAST CORNER OF SAID LOT 53, AND THE EXISTING WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE S01°46'06"W, A DISTANCE OF 96.51 FEET; THENCE

N04°37'20"W, A DISTANCE OF 48.84 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 64°00'22", WITH A RADIUS OF 34.00 FEET, AN ARC DISTANCE OF 37.98 FEET; THENCE N68°37'42"W, A DISTANCE OF 12.98 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14°33'47", WITH A RADIUS OF 204.00 FEET, AN ARC DISTANCE OF 51.85 FEET; THENCE N83°11'29"W, A DISTANCE OF 22.38 FEET; THENCE N88°54'15"W, A DISTANCE OF 61.71 FEET TO THE WEST LINE OF SAID LOT 54; THENCE N01°51'49"E, ALONG SAID WEST LINE, A DISTANCE OF 1.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,745 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.
TRACT C

BEING A PART OF LOTS 52 AND 53 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2066, PAGE 1451 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 53, AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE S88°54'15"E, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 113.19 FEET TO THE POINT OF BEGINNING; THENCE N85°24'56"E, A DISTANCE OF 37.53 FEET; THENCE N38°05'58"E, A DISTANCE OF 28.41 FEET; THENCE N01°48'27"E, A DISTANCE OF 60.76 FEET; THENCE N06°10'00"E, A DISTANCE OF 18.99 FEET TO THE NORTH LINE OF SAID LOT 52; THENCE S88°07'56"E, A DISTANCE OF 6.25 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE S01°48'26"W, A DISTANCE OF 106.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 53, AND THE NORTH RIGHT-OF-WAY LINE OF EXISTING MONROE STREET; THENCE N88°54'15"W, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 61.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,131 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.
TRACT D

BEING A PART OF LOTS 50 AND 51 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2858, PAGE 1698 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 51, AND BEING ON THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE N88°07'56"W, ALONG THE SOUTH LINE OF SAID LOT 50, A DISTANCE OF 6.25 FEET; THENCE N06°10'00"E, A DISTANCE OF 82.23 FEET TO THE WEST RIGHT-OF-WAY NATIONAL AVENUE; THENCE S01°48'26"W, A DISTANCE OF 82.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 256 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 14. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a perpetual street right of way in property owned by Missouri State University to the City of Springfield. The property is located at National Avenue and Grand Street and is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO

BEING ON THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE NORTH $47^{\circ}19'44''$ EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH $02^{\circ}19'44''$ EAST, A DISTANCE OF 200.02 FEET; THENCE NORTH $10^{\circ}09'58''$ EAST, A DISTANCE OF 101.26 FEET; THENCE NORTH $03^{\circ}55'23''$ EAST, A DISTANCE OF 198.90 FEET; THENCE SOUTH $88^{\circ}11'49''$ EAST, A DISTANCE OF 4.08 FEET TO THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE AS IT NOW EXISTS; THENCE SOUTH $01^{\circ}49'53''$ WEST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 520.78 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE NORTH $88^{\circ}54'53''$ WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.61 FEET TO THE POINT OF BEGINNING.

ALSO COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH $88^{\circ}54'53''$ WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH $01^{\circ}05'07''$ EAST, A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE NORTH $88^{\circ}54'53''$ WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 71.13 FEET; THENCE ON A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,215.58 FEET, AN ARC LENGTH OF 103.01 FEET, A CENTRAL ANGLE OF $04^{\circ}51'19''$ AND A LONG CHORD OF 102.98 FEET WHICH BEARS NORTH $84^{\circ}45'54''$ WEST FOR A POINT OF BEGINNING; THENCE CONTINUING ON A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,525.50 FEET, AN ARC LENGTH OF 93.30 FEET, A CENTRAL ANGLE OF $03^{\circ}30'15''$ AND A LONG CHORD OF 93.29 FEET WHICH BEARS NORTH $84^{\circ}24'43''$ WEST; THENCE SOUTH $79^{\circ}53'22''$ WEST, A DISTANCE OF 76.10 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE SOUTH $88^{\circ}54'53''$ EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 12.10 FEET; THENCE NORTH $87^{\circ}16'17''$ EAST, A DISTANCE OF 120.27 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,215.58 FEET, AN ARC LENGTH OF 35.55 FEET, A CENTRAL ANGLE OF $01^{\circ}40'32''$ AND A LONG CHORD OF 35.55 FEET WHICH BEARS SOUTH $88^{\circ}01'50''$ EAST TO THE POINT OF BEGINNING, CONTAINING 10,515 SQUARE FEET, (0.24 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO, A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH $88^{\circ}54'53''$ WEST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 525.86 FEET; THENCE SOUTH $01^{\circ}05'07''$ WEST, A DISTANCE OF 29.94 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID GRAND STREET THE FOLLOWING FIVE (5) COURSES: SOUTH $88^{\circ}53'44''$ EAST, A DISTANCE OF 195.52 FEET; THENCE SOUTH $01^{\circ}44'15''$ WEST, A DISTANCE OF 7.99 FEET; THENCE SOUTH $88^{\circ}54'53''$ EAST, A DISTANCE OF 70.00 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,139.58 FEET, AN ARC LENGTH OF 237.05, A CENTRAL ANGLE OF $11^{\circ}55'06''$ AND A LONG CHORD OF 236.62 FEET WHICH BEARS SOUTH $82^{\circ}56'51''$ EAST; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 28.47 FEET, A CENTRAL ANGLE OF $54^{\circ}22'10''$ AND A LONG CHORD OF 27.41 FEET WHICH BEARS SOUTH $49^{\circ}30'54''$ EAST TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE AS IT NOW EXISTS; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 13.85 FEET, A CENTRAL ANGLE OF $26^{\circ}26'42''$ AND A LONG CHORD OF 13.72 FEET WHICH BEARS SOUTH $10^{\circ}53'17''$ EAST; THENCE CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE SOUTH $01^{\circ}44'15''$ WEST, A DISTANCE OF 364.11 FEET; THENCE NORTH $02^{\circ}04'10''$ WEST, A DISTANCE OF 243.50 FEET; THENCE NORTH $01^{\circ}53'46''$ EAST, A DISTANCE OF 34.34 FEET; THENCE NORTH $07^{\circ}33'58''$ WEST, A

DISTANCE OF 43.48 FEET; THENCE NORTH 44°34'02" WEST, A DISTANCE OF 67.88 FEET; THENCE NORTH 81°34'05" WEST, A DISTANCE OF 233.60 FEET; THENCE NORTH 71°13'31" WEST, A DISTANCE OF 69.94 FEET; THENCE ON A NON-TANGENT TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,490.50 FEET, AN ARC LENGTH OF 154.62 FEET, A CENTRAL ANGLE OF 05°56'37" AND A LONG CHORD OF 154.55 FEET WHICH BEARS NORTH 85°56'09" WEST; THENCE NORTH 01°05'32" EAST, A DISTANCE OF 0.51 FEET TO THE POINT OF BEGINNING, CONTAINING 16,700 SQUARE FEET, (0.38 Acres). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 15. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a drainage easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. The easement to be conveyed is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 189.10 FEET FOR A POINT OF BEGINNING; THENCE NORTH 87°40'16" WEST, A DISTANCE OF 19.36 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 87°40'16" EAST, A DISTANCE OF 20.61 FEET; THENCE SOUTH 10°09'58" WEST, A DISTANCE OF 9.17 FEET; THENCE SOUTH 02°19'44" WEST, A DISTANCE OF 10.92 FEET TO THE POINT OF BEGINNING, CONTAINING 393 SQUARE FEET, (0.01 Acres). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE SOUTH 01°44'15" WEST ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 457.53 FEET FOR THE POINT OF BEGINNING, THENCE NORTH 88°06'14" WEST, A DISTANCE OF 15.25 FEET; THENCE NORTH 03°01'24" EAST, A DISTANCE OF 171.43 FEET; THENCE SOUTH 02°04'10" EAST, A DISTANCE OF 171.81 FEET TO THE POINT OF BEGINNING. ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 47.36 FEET; THENCE SOUTH 01°05'07" WEST, A DISTANCE OF 11 4.87 FEET FOR A POINT OF BEGINNING, THENCE SOUTH 35°36'30" WEST, A DISTANCE OF 42.70 FEET; THENCE NORTH 67°27'15" WEST, A DISTANCE OF 27.08 FEET; THENCE NORTH 10°19'44" EAST, A DISTANCE OF 53.16 FEET; THENCE SOUTH 81°34'05" EAST, A DISTANCE OF 15.14 FEET; THENCE SOUTH 44°34'02" EAST, A DISTANCE OF 36.15 FEET TO THE POINT OF BEGINNING.

ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 241.90 FEET; THENCE SOUTH 01°05'07" WEST, A

DISTANCE OF 67.85 FEET FOR A POINT OF BEGINNING, THENCE SOUTH 25°16'58" EAST, A DISTANCE OF 55.15 FEET; THENCE SOUTH 64°43'02" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 25°16'58" WEST, A DISTANCE OF 65.16 FEET; THENCE SOUTH 81°34'05" EAST, A DISTANCE OF 18.03 FEET TO THE POINT OF BEGINNING, CONTAINING 4,125 SQUARE FEET (0.09 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 16. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a sanitary sewer easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. The easement to be conveyed is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 98.23 FEET FOR A POINT OF BEGINNING; THENCE NORTH 25°37'05" WEST, A DISTANCE OF 32.30 FEET; THENCE NORTH 05°29'44" EAST, A DISTANCE OF 120.31 FEET; THENCE SOUTH 88°11 '49" EAST, A DISTANCE OF 14.96 FEET; THENCE SOUTH 10°09'58" WEST, A DISTANCE OF 47.46 FEET; THENCE SOUTH 02°19'44" WEST, A DISTANCE OF 101.79 FEET TO THE POINT OF BEGINNING, CONTAINING 1,788 SQUARE FEET, (0.04 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 7** was adopted.

HCS SB 578, as amended, was laid over.

On motion of Representative Jones (89), the House recessed until 1:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Schad.

THIRD READING OF SENATE BILLS

HCS SB 578, as amended, relating to state property, was again taken up by Representative Cox.

Representative Jones (89) offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 578, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“8.010. 1. The governor, attorney general, [and] lieutenant governor, **speaker of the house of representatives; and the president pro tempore of the senate shall** constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. [The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex officio members of the board but shall not have the power to vote.] The board shall constitute a body corporate and politic. The board has general supervision and charge of the public property of the state at the seat of government and other duties imposed on it by law.

2. The commissioner of administration shall provide staff support to the board.”; and

Further amend said substitute, Page 13, Section 12, Line 18, by inserting immediately after said line the following:

“Section 13. The rotunda on the third floor of the state capitol building and all furniture, equipment and supplies therein, are reserved for the exclusive use of the members and officers of the legislature. This space, together with the furniture, equipment and supplies therein, are in the direct charge and control of the house accounts committee and the senate accounts committee. No use of any of said quarters other than by the legislature, its members, or its officers shall be made except with the written consent of the legislature and upon the order of the accounts committee of both the house and the senate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (117) offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1

to

House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 578, Page 1, Line 20, by inserting after all of said line the following:

‘Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

“135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; [and]

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

- (a) The state of Missouri over the previous twelve months; or
- (b) The county or city not within a county over the previous twelve months; **and**

(5) No finding of blight under this chapter shall be used to meet the conditions for blight under any other statute of this state.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

- (1) The potential to create sustainable jobs in a targeted industry; or
- (2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.”; and’; and

Further amend said amendment, Page 1, Line 20, by inserting after all of said line the following:

‘Further amend said bill, Page 13, Section 12, Line 18, by inserting after all of said line the following:

“Section 13. Whenever the fiscal body of one (1) or more eligible entities, acting individually or jointly, adopts an ordinance or a resolution in favor of the establishment of an airport authority under this chapter, there is established an airport authority. The authority has jurisdiction over a district with boundaries coterminous with the jurisdictional boundaries of the entity or entities adopting the ordinance or resolution. The authority must have a name including the words “airport authority.””; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1 to House Amendment No. 8** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117

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Keeney	Kelley 126	Klippenstein	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	Wieland	Wright	Wyatt	Zerr

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 020

Bahr	Brown 50	Carter	Day	Dieckhaus
Ellinger	Fraker	Haefner	Jones 63	Koenig
McDonald	McNary	Meadows	Sater	Schatz
Schieffer	Spreng	Webber	White	Mr Speaker

On motion of Representative Jones (89), **House Amendment No 8, as amended**, was adopted by the following vote:

AYES: 106

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer

Still	Stream	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Wyatt
Zerr				

NOES: 040

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Ellington	Fallert	Harris
Hodges	Holsman	Hummel	Kirkton	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 017

Bahr	Brown 50	Carter	Dieckhaus	Ellinger
Fraker	Hughes	Jones 63	Koenig	McNary
Meadows	Sater	Schatz	Schieffer	Webber
White	Mr Speaker			

Representative Hummel offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

“Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release all interest of the state of Missouri in an easement located near the Chouteau State Owned Office Building, in the City of St. Louis, described as follows:

Ingress/Egress Easement Vacation

Book 1696M, Page 2270

A tract of land being part of Lots 2 and 4 of Chouteau-Compton Subdivision No. 3, a subdivision according to the plat thereof as recorded in Plat Book 12242003, Page 132 of the City of St. Louis Records, being more particularly described as follows:

Beginning at the southeastern corner of above said Lot 4, said point also being the southwestern corner of Lot 2, said point also being located on the northern right-of-way line of Chouteau Avenue, 80 feet wide; thence along said right-of-way line, North 75 degrees 00 minutes 00 seconds West, 25.32 feet to the western line of an Ingress/Egress Easement as established by instrument recorded in Book 1696M, Page 2270; thence departing last said right-of-way line along said western line the following courses and distances: North 15 degrees 32 minutes 58 seconds East, 78.61 feet to a point on a non-tangent curve to the right having a radius of 75.51 feet; along said curve with an arc length of 47.00 feet, and a chord which bears North 44 degrees 16 minutes 16 seconds East, 46.24 feet; North 59 degrees 59 minutes 10 seconds East, 53.47 feet to a point on a non-tangent curve to the left having a radius of 81.83 feet; thence along said curve with an arc length of 57.03 feet, and a chord which bears North 36 degrees 21 minutes 43 seconds East, 55.88 feet to a point of tangency and North 16 degrees 23 minutes 52 seconds East, 21.30 feet to the northern line of above said Lot 4; thence along said north line South 75 degrees 00 minutes 00 seconds East, 12.52 feet to the northeastern corner of above said Lot 4, said point also being the northwestern corner of above said Lot 2; thence along the northern line of said

Lot 2, South 75 degrees 00 minutes 00 seconds East, 11.21 feet to the northeastern corner of above said Ingress/Egress Easement; thence along the eastern line of said Ingress/Egress Easement the following courses and distances: South 14 degrees 42 minutes 17 seconds West, 25.31 feet to a point on a non-tangent curve to the right having a radius of 80.19 feet; along said curve with an arc length of 66.36 feet, and a chord which bears South 36 degrees 23 minutes 48 seconds West, 64.48 feet; South 60 degrees 06 minutes 17 seconds West, 45.35 feet to a point on a non-tangent curve to the left having a radius of 63.36 feet; along said curve with an arc length of 42.86 feet, and a chord which bears South 34 degrees 36 minutes 23 seconds West, 42.05 feet to a point of tangency and South 15 degrees 13 minutes 43 seconds West, 73.14 feet to the northern right-of-way line of above said Chouteau Avenue; thence along said northern right-of-way line, North 75 degrees 00 minutes 00 seconds West, 10.53 feet to the Point of Beginning and containing 7,348 square feet or 0.168 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc on March 15, 2012.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance.

Section B. Because immediate action is necessary to convey the property located near the Chouteau State Owned Office Building, the enactment of section 13 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution and the enactment of section 13 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 9** was adopted.

Representative Hummel offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

“Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in a tract of land located in the City of St. Louis, to The Special Administrative Board of the Transitional School District of The City of St. Louis (d/b/a The Board of Education of the City of St. Louis) described as follows:

Lots 10, 11, 12, and 13 in Block 3 of Evans Place, a subdivision in Block 3730 of the City of St. Louis, Missouri.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but need not be limited to, the number of appraisals required, and the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 10** was adopted.

On motion of Representative Cox, **HCS SB 578, as amended**, was adopted.

On motion of Representative Cox, **HCS SB 578, as amended**, was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Day	Diehl	Dugger
Elmer	Entlicher	Fisher	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Harris
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Thomson	Torpey	Wallingford
Webb	Wells	Weter	Wieland	Wright
Zerr				

NOES: 036

Anders	Carlson	Carter	Casey	Colona
Ellinger	Ellington	Fallert	Hodges	Holsman
Hughes	Kirkton	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Cross	Davis	Denison	Dieckhaus
Fitzwater	Franklin	Haefner	Jones 63	Koenig
Lampe	Long	McNary	Meadows	Nolte
Sater	Schatz	Webber	White	Wyatt
Mr Speaker				

Representative Schad declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Korman	Kratky
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Montecillo	Morgan	Nance	Nasheed
Neth	Oxford	Parkinson	Phillips	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Smith 150	Solon	Sommer	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
Wieland	Wright	Zerr		

NOES: 015

Brattin	Cauthorn	Ellinger	Ellington	Kirkton
Marshall	May	McCreery	Molendorp	Nichols
Pace	Pierson	Smith 71	Spreng	Talboy

PRESENT: 000

ABSENT WITH LEAVE: 025

Brown 50	Cross	Day	Denison	Dieckhaus
Fitzwater	Grisamore	Jones 63	Koenig	Lampe
Largent	McNary	Meadows	Newman	Nolte
Redmon	Sater	Schatz	Schieber	Silvey
Swearingen	Webber	White	Wyatt	Mr Speaker

SS SCS SB 699, relating to crime, was taken up by Representative Fuhr.

Representative Fuhr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 6, Section 217.703, Line 98, by deleting the number “4” on said line and inserting in lieu thereof the number “5”; and

Further amend said bill, page, and section, Line 99, by deleting the number “6” on said line and inserting in lieu thereof the number “7”; and

Further amend said bill, Page 8, Section 221.105, Line 29, by deleting the first occurrence of the number “7” on said line and inserting in lieu thereof the number “6”; and

Further amend said bill, Page 10, Section 559.036, Line 23, by deleting the phrase “**subsection 3 of**” on said line; and

Further amend said bill, Page 12, Section 559.036, Line 66, by deleting the phrase “**subsection 2 of**” on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Title, Lines 3-4, by deleting the phrase “under the supervision of the department of corrections”; and

Further amend said bill, Page 9, Section 221.105, Line 42, by inserting after all of said section and line, the following:

“491.075. 1. A statement made by a child under the age of fourteen, **or a vulnerable person**, relating to an offense under chapter 565, 566, 568 or 573, performed [with or on a child] by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

(1) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability; and

(2) (a) The child **or vulnerable person** testifies at the proceedings; or

(b) The child **or vulnerable person** is unavailable as a witness; or

(c) The child **or vulnerable person** is otherwise physically available as a witness but the court finds that the significant emotional or psychological trauma which would result from testifying in the personal presence of the defendant makes the child **or vulnerable person** unavailable as a witness at the time of the criminal proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of fourteen, **or a vulnerable person**, who is alleged to be victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child **or vulnerable person** is available to testify regarding the offense.

3. A statement may not be admitted under this section unless the prosecuting attorney makes known to the accused or the accused's counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused's counsel with a fair opportunity to prepare to meet the statement.

4. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.

5. **For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of fourteen years of age.**”; and

Further amend said bill, Page 15, Section 559.115, Line 82, by inserting after all of said section and line, the following:

“565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member, **including any child who is a member of the family or household**, or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member, **including any child who is a member of the family or household**, or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, and he or she:

- (1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
 - (2) Recklessly causes serious physical injury to such family or household member; or
 - (3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.
2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member, **including any child who is a member of the family or household**, or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010 and:

- (1) The person attempts to cause or recklessly causes physical injury to such family or household member; or
- (2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or
- (3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or
- (4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or
- (5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or
- (6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members.

568.060. 1. [A person commits the crime of abuse of a child if such person:

- (1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old; or
- (2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

(1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony; or

(2) A child dies as a result of injuries sustained from conduct chargeable pursuant to the provisions of this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification] **As used in this section, the following terms shall mean:**

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is a class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence.

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Talboy, **House Amendment No. 2** was adopted.

Representative Denison offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 9, Section 221.105, Line 42, by after all of said section and line inserting the following:

“544.455. 1. Any person charged with a bailable offense, at his or her appearance before an associate circuit judge or judge may be ordered released pending trial, appeal, or other stage of the proceedings against him on his personal recognizance, unless the associate circuit judge or judge determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the associate circuit judge or judge may either in lieu of or in addition to the above methods of release, impose any or any combination of the following conditions of release which will reasonably assure the appearance of the person for trial:

(1) Place the person in the custody of a designated person or organization agreeing to supervise him;
(2) Place restriction on the travel, association, or place of abode of the person during the period of release;
(3) Require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof **by a defendant or a third party; however, under article I, section 20 of the Missouri Constitution, the court shall accept in lieu of a cash only bond a guarantee from any surety who is in compliance with general laws regulating such profession;**

(4) Require the person to report regularly to some officer of the court, or peace officer, in such manner as the associate circuit judge or judge directs;

(5) [Require the execution of a bond in a given sum and the deposit in the registry of the court of ten percent, or such lesser percent as the judge directs, of the sum in cash or negotiable bonds of the United States or of the state of Missouri or any political subdivision thereof;

(6)] Place the person on house arrest with electronic monitoring, except that all costs associated with the electronic monitoring shall be charged to the person on house arrest. If the judge finds the person unable to afford the costs associated with electronic monitoring, then the judge shall not order that the person be placed on house arrest with electronic monitoring;

[(7)] (6) Impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

2. In determining which conditions of release will reasonably assure appearance, the associate circuit judge or judge shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or flight to avoid prosecution or failure to appear at court proceedings.

3. An associate circuit judge or judge authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

4. A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the condition reviewed by the associate circuit judge or judge who imposed them. The motion shall be determined promptly.

5. An associate circuit judge or judge ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release; except that, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection 4 of this section shall apply.

6. Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

7. Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

8. Persons charged with violations of municipal ordinances may be released by a municipal judge or other judge who hears and determines municipal ordinance violation cases of the municipality involved under the same conditions and in the same manner as provided in this section for release by an associate circuit judge.

9. A circuit court may adopt a local rule authorizing the pretrial release on electronic monitoring pursuant to subdivision (6) of subsection 1 of this section in lieu of incarceration of individuals charged with offenses specifically identified therein.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 3, Line 15, by inserting after all of said line the following:

“Further amend said bill, Page 3, Section 217.147, Line 76, by inserting after all of said section, the following:

“217.243. Any inmate who receives on-site medical examination or treatment from the correctional center's medical personnel shall be assessed a charge of one dollar fifty cents per visit for such medical examination or treatment.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
Molendorp	Nance	Neth	Nolte	Parkinson

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Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Dieckhaus	Holsman	Jones 63	Largent
McGhee	McNary	Meadows	Scharnhorst	Schatz
Schneider	Stream	Swinger	Talboy	Webber
Mr Speaker				

On motion of Representative Brattin, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Denison, **House Amendment No. 3, as amended**, was adopted.

Representative Lair offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 3, Section 217.147, Line 76, by inserting immediately after said section and line, the following:

“217.694. 1. Notwithstanding any other provision of law, any offender incarcerated in a correctional facility serving a sentence of life without parole for a minimum of fifty years or more and who is sixty years of age or older and has no prior felony convictions of a violent nature shall receive a parole hearing upon serving fifteen years or more of his or her sentence.

2. During the parole hearing required under subsection 1 of this section, the board of probation and parole shall determine whether there is a reasonable probability that the offender will live and remain at liberty without violation of law upon release, and therefore is eligible for release based upon a finding that the offender meets the following criteria:

- (1) A record of good conduct while incarcerated;**
- (2) Has demonstrated self-rehabilitation efforts while incarcerated;**
- (3) Has a workable parole plan;**
- (4) Availability of community and family support;**

(5) Is subject to a minimum of five years of supervision by the board of probation and parole upon release;

(6) Has an institutional risk factor score of one; and

(7) Is not a convicted sex offender.

3. If the board does not grant parole to an offender who qualifies for a parole hearing under this section, the offender shall be eligible for a reconsideration parole hearing every three years until a presumptive release date is established.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nance offered **House Amendment No. 1 to House Amendment No. 4.**

House Amendment No. 1 to House Amendment No. 4 was withdrawn.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

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PRESENT: 000

ABSENT WITH LEAVE: 016

Berry	Brown 50	Day	Dieckhaus	Jones 63
Jones 117	Loehner	McCaherty	McNary	Meadows
Richardson	Scharnhorst	Schatz	Swinger	Webber
Wyatt				

On motion of Representative Lair, **House Amendment No. 4** was adopted by the following vote:

AYES: 084

Allen	Anders	Atkins	Aull	Black
Brandom	Brown 85	Carlson	Carter	Casey
Cauthorn	Colona	Conway 27	Cross	Curtman
Diehl	Ellinger	Ellington	Fallert	Fisher
Grisamore	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hummel
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Lauer	Loehner	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Reiboldt	Rizzo	Rowland
Ruzicka	Schad	Schieffer	Schupp	Shively
Shumake	Smith 71	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Weter	Wright	

NOES: 068

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brattin	Brown 116	Burlison	Cierpiot	Conway 14
Cookson	Cox	Crawford	Davis	Denison
Dugger	Elmer	Entlicher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Koenig	Largent	Lasater
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	Neth	Nolte	Parkinson	Pollock
Redmon	Richardson	Riddle	Sater	Schieber
Schneider	Schoeller	Sifton	Silvey	Smith 150
Solon	Sommer	Torpey	Wells	White
Wieland	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Day	Dieckhaus	Jones 63	McNary
Meadows	Scharnhorst	Schatz	Swinger	Webber
Wyatt				

Representative Nance offered **House Amendment No. 5.**

House Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department to meet at least one of the following conditions:

(1) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health;

(2) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity;

(3) Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse;

(4) Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole;

(5) Has demonstrated sobriety through voluntary urinalysis testing paid for by the participant; or

(6) It has been more than four years since the conviction for a drug related felony.

2. Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant shall meet all other factors for program eligibility.

3. The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section, including specifying criteria for determining active participation in and completion of a substance abuse treatment program.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Koenig offered **House Amendment No. 1 to House Amendment No. 5.**

House Amendment No. 1 to House Amendment No. 5 was withdrawn.

Representative Koenig offered **House Amendment No. 2 to House Amendment No. 5.**

House Amendment No. 2

to

House Amendment No. 5

AMEND House Amendment No. 5 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Line 27, by inserting after all of said line the following:

‘Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“208.182. 1. [The division of family services shall establish pilot projects in St. Louis City and in any county with a population of six hundred thousand or more, which shall provide for a system of electronic transfer of benefits to public assistance recipients. Such system shall allow recipients to obtain cash from automated teller machines or point of sale terminals. If less than the total amount of benefits is withdrawn, the recipient shall be given a receipt showing the current status of his account.] The department of social services shall seek a waiver from the federal government to mandate the use of photo identification for continued eligibility in the food stamp program administered in Missouri. Upon one year after approval by the federal government, the department shall issue a photo

identification card to each eligible household member who is sixteen years of age or older. Upon request, a household member, or the household's authorized representative, shall present the photo identification card at issuance points, retail food stores, or meal services when exchanging benefits for eligible food.

2. The disclosure of any information provided to a financial institution, business or vendor by the [division of family services] **department** pursuant to this section is prohibited. Such financial institution, business or vendor may not use or sell such information and may not divulge the information without a court order. Violation of this subsection is a class A misdemeanor.

3. [Subject to appropriations and subject to receipt of waivers from the federal government to prevent the loss of any federal funds, the department of social services shall require the use of photographic identification on electronic benefit transfer cards issued to recipients in this system. Such photographic identification electronic benefit transfer card shall be in a form approved by the department of social services.

4.] The [division of family services] **department** shall promulgate rules and regulations necessary to implement the provisions of this section pursuant to section 660.017 and chapter 536. **The rules shall ensure compliance with federal law, taking into account individuals and households with special needs as well as ensuring that all appropriate household members or authorized representatives are able to access benefits from the account as necessary.**

[5.] 4. The delivery of electronic benefits and the electronic eligibility verification, including, but not limited to, [aid to families with dependent children (AFDC)] **temporary assistance for needy families (TANF)**, women, infants and children (WIC), early periodic screening diagnosis and treatment (EPSDT), food stamps, supplemental security income (SSI), including Medicaid, child support, and other programs, shall reside in one card that may be enabled by function from time to time in a convenient manner.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Entlicher	Fisher	Fitzwater	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Houghton	Johnson	Jones 89
Kelley 126	Klippenstein	Koenig	Korman	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	May	McCann Beatty	McCreery

McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 025

Allen	Brown 50	Day	Dieckhaus	Diehl
Elmer	Flanigan	Fraker	Higdon	Hough
Jones 117	Keeney	Kelly 24	Lair	Lampe
Largent	Loehner	McNary	Schatz	Silvey
Stream	Swinger	Webber	Wyatt	Mr Speaker

On motion of Representative Koenig, House Amendment No. 2 to House Amendment No. 5 was adopted by the following vote:

AYES: 101

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hoskins	Houghton	Johnson
Jones 89	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Smith 150
Solon	Sommer	Still	Thomson	Torpey
Wallingford	Wells	Weter	Wieland	Wyatt
Zerr				

NOES: 036

Anders	Atkins	Carlson	Conway 27	Ellinger
Ellington	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kirkton	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Smith 71	Spreng	Swearingen	Talboy	Taylor
Walton Gray				

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PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brown 50	Colona	Day	Dieckhaus
Diehl	Elmer	Flanigan	Franz	Higdon
Hough	Jones 117	Kelly 24	Lampe	Largent
McNary	Pollock	Schatz	Silvey	Stream
Swinger	Webb	Webber	White	Wright
Mr Speaker				

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dugger
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Shumake	Smith 150	Solon	Sommer	Thomson
Torpey	Wallingford	Weter	White	Wieland
Wright	Zerr			

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Swearingen	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 028

Brown 50	Brown 116	Day	Denison	Dieckhaus
Diehl	Elmer	Flanigan	Grisamore	Hough

Jones 117	Kelly 24	Lampe	Largent	Lasater
Leara	Montecillo	Schatz	Silvey	Still
Stream	Swinger	Talboy	Webb	Webber
Wells	Wyatt	Mr Speaker		

On motion of Representative Nance, **House Amendment No. 5, as amended**, was adopted.

Representative Schad offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Section A, Line 4, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a [web page] **website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 5, 6, and 7 of this section**, the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) [Any photographs of the offender] **A current photograph of the individual, which shall be taken by the registering official;**

(6) [A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)] The nature and dates of all offenses qualifying the offender to register;

[(8)] (7) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)] (8) Compliance status of the offender with the provisions of section 589.400 to 589.425; and

[(10)] (9) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender; **and**

(10) **The status of the offender's term of incarceration, probation, or parole.**

5. **Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:**

- (1) **There is no other offense for which the offender is required to register;**
- (2) **The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and**
- (3) **No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.**

6. **Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.**

7. **Juveniles required to register under section 589.400 shall be excluded from the website.";** and

Further amend said bill, Page 15, Section 559.115, Line 82, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is [exempted] **exempt** from registering under subsection 6, 8, or 10 of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia**, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within [three] **five business** days of [conviction] **adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile described in subdivision (6) of subsection 1 of this section, within five business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within [three] **five business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested].

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

- (1) All offenses requiring registration are reversed, vacated or set aside;
- (2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender;**
- (3) The registrant is **exempt or** is no longer required to register [and his or her name shall be removed from the registry] under the provisions of subsection 6, **8, or 10** this section; or
- (4) The [registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the] court orders the removal [or exemption] of such person from the registry **under subsection 7, 9, or 10 of this section or section 589.401.**

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

- (1) **Felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child; or**
- (2) **Nonsexual child abuse that was committed under section 568.060; or**
- (3) **Kidnapping of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child,**

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry **or who otherwise would be required to register** for [being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child] **any offense listed in subsection 6 of this section** shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

8. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

- (1) **Sexual misconduct in the second degree under section 566.093; or**
- (2) **Sexual misconduct in the third degree under section 566.095; or**
- (3) **Promoting obscenity in the first degree under section 573.020; or**
- (4) **Promoting obscenity in the second degree under section 573.030; or**
- (5) **Furnishing pornographic materials to minors under section 573.040; or**
- (6) **Public display of explicit sexual material under section 573.060; or**
- (7) **Coercing acceptance of obscene material under section 573.065,**

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.] 9. Any person currently on the sexual offender registry **or who otherwise would be required to register** for [having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register] **any offense listed in subsection 8 of this section shall be removed from the registry; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.**

[8.] **10.** Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.] **11.** (1) The court may grant such relief under subsection [7 or 8] **9 or 10** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.] **12.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education [and is not entitled to relief under the provisions of subsection 9 of this section]. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency [and is not entitled to the provisions of subsection 9 of this section].

[11.] **13.** Any person whose name is removed or **who is** exempted from the sexual offender registry under subsection [7 or 8] **6, 7, 8, 9, or 10** of this section shall [no longer] **not** be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

14. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

589.401. 1. Any person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name and information removed from the sexual offender registry; except that, any person having multiple offenses requiring registration under sections 589.400 to 589.425 shall not be eligible for removal from the registry until all applicable time requirements under subsections 2 and 3 of this section for all such offenses have elapsed. If the offense requiring registration was adjudicated in another state, the District of Columbia, a foreign country, or a territory, tribal, or military jurisdiction such person may file a petition in the division of the circuit court in the county in which such person resides.

2. A person who is required to register under the provisions of sections 589.400 to 589.425 for any of the following offenses or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if twenty years has not elapsed since the date the person was required to register:

(1) Kidnapping when a sexual offense under chapter 566 was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under chapter 566 and when the victim was less than eighteen years of age and excluding kidnapping by a parent or guardian under section 565.110;

(2) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(3) Forcible rape under section 566.030;

(4) Forcible sodomy under section 566.060;

(5) Sexual trafficking of a child under section 566.212;

(6) Sexual trafficking of a child under the age of twelve, under section 566.213; or

(7) Child molestation in the first degree when it is a class A felony under section 566.067.

3. A person who is required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of this section or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if ten years has not elapsed since the date the person was required to register.

4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for one year immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for one year immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Date of birth;

(e) Last four digits of the Social Security number;

(f) Address;

(g) Place of employment, school, or volunteer status;

(2) The offense that required the petitioner to register;

(3) The date the petitioner pled to, was convicted of, or was adjudicated for the offense;

(4) The date the petitioner was required to register;

(5) The date the petitioner actually registered;

(6) The case number and court, including county, that entered the original order for the adjudicated sex offense;

(7) The petitioner's fingerprints on an applicant fingerprint card;

(8) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and

(9) That the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking removal, of the petition and an opportunity to present evidence in opposition to the facts alleged in the petition. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner, including but not limited to criminal history records under section 43.530, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. Except as otherwise provided under subsection 12 of this section, the court shall enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from any corresponding state or local law enforcement registry or website unless it finds that the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction:

- (1) Has been adjudicated of or has charges pending for failure to register;
- (2) Has been adjudicated of any additional offense which would require registration as a sexual offender and which occurred after the date such person initially registered as a sexual offender;
- (3) Has charges pending for any offense which would require registration as a sexual offender;
- (4) Has not successfully completed any required periods of supervised release, probation, or parole; and
- (5) Has not successfully completed all appropriate sexual offender treatment, including any court-ordered treatment and any treatment ordered by the department of corrections.

12. For any person who has been convicted of a crime listed in subsection 2 of this section, the court may enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from corresponding state or local law enforcement registry or website upon the filing of a petition for removal and submission of the petitioner's completed risk assessment evaluation conducted by a licensed mental health professional unless it finds that subdivisions (1) to (5) of subsection 11 apply to the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction.

13. In order to prove the facts required by subdivisions (1), (2), and (3) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol and the Federal Bureau of Investigation.

14. Except as provided in subsection 14 of this section, if it is found that the petition is denied, a successive petition requesting such relief may be filed under this section one year after the date of such denial unless such denial is based on a subsequent conviction of a sex offense or failure to register, in which case no successive petition shall be filed.

15. If it is found that the petition is denied solely on the basis of the fact that the petitioner has pending charges and those charges are subsequently dismissed or the petitioner is subsequently acquitted of such pending charges, the petitioner may file a new petition under this section at any time after the dismissal or acquittal of such pending charges.

16. If the court finds that the petitioner is entitled to have his or her name and information removed from the sexual offender registry, the court shall enter judgment directing the respondents to remove the petitioner's name and information from all law enforcement sexual offender registries and public websites within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to judgment requiring his or her name or information to be removed from the sexual offender registry shall not be required to register or report under sections 589.400 to 589.425 unless such person is required to register and report for an offense that was committed after the judgment of removal was entered.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a [web page] **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided by subsections 5, 6, and 7 of this section**, the registered sexual offender search [shall] **may** make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. Only the information listed in this subsection [shall] **may** be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) [Any photographs of the offender] **A current photograph of the individual, which shall be taken by the registering official;**

(6) [A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)] The nature and dates of all offenses qualifying the offender to register;

[(8)] (7) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)] (8) Compliance status of the offender with the provisions of sections 589.400 to 589.425; [and]

[(10)] (9) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender; **and**

(10) The status of the offender's term of incarceration, probation, or parole.

4. The chief law enforcement officer of any county or city not within a county may [publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county] **give notice to any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, any child care facility licensed under chapter 210, or any child care facility defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, that a sex offender is residing, working, or attending school within a five mile radius of such school or child care facility. Such notice shall only include the sex offender information described in subsection 3 of this section.**

5. **Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:**

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as defined in section 589.404; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. **Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.**

7. Juveniles required to register under section 589.400 shall be excluded from the website.

589.403. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections [or], any mental health institution, **private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall:

(1) If the person plans to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release, to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release]. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.]; **or**

(2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within five business days as directed, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.405. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall [obtain the address where the person expects to reside upon discharge, parole or release and shall] **make it a condition of probation that the offender** report, within [three] **five** business days[, such address] to the chief law enforcement official of the county **of adjudication** or city not within a county [where the person expects to reside, upon discharge, parole or release.] **of adjudication, to complete the initial registration. If such offender is not placed on probation, the court shall:**

(1) **If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;**

(2) **If the offender does not reside in Missouri, the court shall:**

(a) **Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and**

(b) **Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.**

2. **If the offender refuses to complete and sign the registration information as outlined in subdivision (1) of subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subdivision (2) of subsection 1 of this section, such refusal or failure shall constitute an offense of failure to register under section 589.425.**

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **shall consist of a statement in writing, including the signature of the offender and** shall include, but is not limited to the following:

(1) [A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;] **The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) **The date of birth of the individual to include any alias dates of birth used;**

(3) **The address of the individual's residence or, if the individual is homeless, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;**

(4) **The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;**

(5) **The name and address of any institutions of higher education that the individual attends;**

(6) **The Social Security number of the individual including any alias Social Security numbers used;**

(7) **The telephone numbers of the individual including all landline and cellular telephone numbers used;**

(8) **The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;**

(9) **Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;**

(10) **The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;**

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim and the offender at the time of the offense;

(13) If the offender was required to successfully complete appropriate sexual offender treatment, including any court-ordered treatment or any treatment ordered by the department of corrections, the date that the offender successfully completed such treatment, or a statement, that as of the date of registration, the offender has not yet successfully completed the required sexual offender treatment or has failed to successfully complete the required sexual offender treatment;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates; and

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

[2.] (1) The fingerprints, palm prints, and a photograph of the person; [and]

(2) A current photograph of the individual to be taken by the registering official; and

(3) A DNA sample from the individual, if a sample has not already been obtained.

[2.] 3. The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card; and

(2) A document verifying proof of the offender's residency; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles].

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

6. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and if any inaccuracies are found provide proof of the information in question. The registering law enforcement official shall, within three business days of receipt of proof from the offender regarding the inaccuracy, correct the inaccuracy on its law enforcement registry and on its public website, if any, and shall notify the Missouri state highway patrol of the change in information. The Missouri state highway patrol shall, within three business days of notification by the registering law enforcement official, correct the inaccuracy on its law enforcement registry and on its public website.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425, and a statement to such effect shall be included on the form that the individual is required to sign at each registration.

589.410. 1. The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. Upon receipt of each completed offender registration form, the Missouri state highway patrol shall review the information contained in the form to determine whether, according to the form, the offender will be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the registration form, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than [three] five business days [after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,] appear in person to the chief law enforcement officer of the county or city not within a county [and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days] **if there is a change to any of the following information:**

- (1) Name;
- (2) Residence;
- (3) Employment;
- (4) Student status; or
- (5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within five business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

- (1) Vehicle information;
- (2) Temporary residence information; or
- (3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

4. The Missouri state highway patrol shall review any changes received from registering officials under subsection 3 of this section to determine whether the offender will now be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the changes, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

[2.] 5. If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state, **or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state, **or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state, **or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3.] In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall report in person to the chief law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

- (1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;
- (2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and
- (3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.] 6. In addition to the requirements of subsections 1 [and], 2, and 5 of this section, [all registrants] **any person required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction**, shall report [semiannually] **annually** in person in the month of their birth [and six months thereafter] to the chief law enforcement [agency] **official** to verify the information contained in their statement made pursuant to section 589.407[. All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency] **and six months thereafter shall report by mail on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.**

7. In addition to the requirements of subsections 1, 2, and 5 of this section, any person required to register under the provisions of sections 589.400 to 589.425 for any offenses listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition, such offenders shall report by mail ninety days after each in-person report on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.

[5.] **8. In addition to the requirements of subsections 1 [and], 2, and 5 of this section, all Missouri registrants who work, including as a volunteer or unpaid intern, or attend any school [or training], whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.**

[6. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.]

9. Whenever any person reports under the provisions of this section in person and in the month of their birth, the registering law enforcement official shall take a current photograph of the offender."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 6** was adopted.

On motion of Representative Fuhr, **SS SCS SB 699, as amended**, was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fraker	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Kander	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Morgan	Nance
Nasheed	Neth	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Spreng	Still	Swearingen
Talboy	Taylor	Thomson	Wallingford	Walton Gray
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

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NOES: 033

Bahr	Brattin	Burlison	Conway 14	Dugger
Ellington	Fitzwater	Franklin	Franz	Guernsey
Hampton	Jones 89	Jones 117	Keeney	Kirkton
Koenig	Leach	Marshall	McCreery	Montecillo
Newman	Nolte	Parkinson	Pollock	Scharnhorst
Schieber	Sifton	Smith 71	Smith 150	Solon
Sommer	Torpey	Wells		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Dieckhaus	Flanigan	Hough
Lasater	Richardson	Sater	Schatz	Stream
Swinger	Webb	Webber	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS SS SCS SB 595, relating to special education hearings, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS SS SCS SB 595** was adopted.

On motion of Representative Torpey, **HCS SS SCS SB 595** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon

Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 005

Aull	Carlson	Hughes	Schupp	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 014

Atkins	Brown 50	Colona	Flanigan	Jones 63
Marshall	Nasheed	Newman	Pollock	Schatz
Schieffer	Swinger	Webber	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 004

Aull Ellington Marshall Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 018

Atkins	Brown 50	Colona	Curtman	Flanigan
Franklin	Hough	Hughes	McDonald	Nasheed
Nolte	Scharnhorst	Schatz	Schieffer	Spreng
Swinger	Webber	Wyatt		

HCS SB 628, relating to judicial procedures, was taken up by Representative Kelly (24).

Representative Talboy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 628, Page 38, Section 488.5375, Line 10, by inserting after all of said section and line, the following:

“491.075. 1. A statement made by a child under the age of fourteen, **or a vulnerable person**, relating to an offense under chapter 565, 566, 568 or 573, performed [with or on a child] by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

(1) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability; and

(2) (a) The child **or vulnerable person** testifies at the proceedings; or

(b) The child **or vulnerable person** is unavailable as a witness; or

(c) The child **or vulnerable person** is otherwise physically available as a witness but the court finds that the significant emotional or psychological trauma which would result from testifying in the personal presence of the defendant makes the child **or vulnerable person** unavailable as a witness at the time of the criminal proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of fourteen, **or a vulnerable person**, who is alleged to be victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child **or vulnerable person** is available to testify regarding the offense.

3. A statement may not be admitted under this section unless the prosecuting attorney makes known to the accused or the accused's counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused's counsel with a fair opportunity to prepare to meet the statement.

4. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.

5. For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of fourteen years of age.”; and

Further amend said bill, Page 57, Section 559.105, Line 28, by inserting after all of said section and line, the following:

“565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member, **including any child who is a member of the family or household**, or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member, **including any child who is a member of the family or household**, or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, and he or she:

- (1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
 - (2) Recklessly causes serious physical injury to such family or household member; or
 - (3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.
2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member, **including any child who is a member of the family or household**, or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010 and:

- (1) The person attempts to cause or recklessly causes physical injury to such family or household member; or
- (2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or
- (3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or
- (4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or
- (5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or
- (6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members.”; and

Further amend said bill and page, Section 566.083, Line 23, by inserting after all of said section and line, the following:

“568.060. 1. [A person commits the crime of abuse of a child if such person:

- (1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old; or
- (2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

- (1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony; or
- (2) A child dies as a result of injuries sustained from conduct chargeable pursuant to the provisions of this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification] **As used in this section, the following terms shall mean:**

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is a class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence.

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Tilley resumed the Chair.

On motion of Representative Talboy, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 628, Page 41, Section 513.440, Line 7, by inserting after all of said section and line the following:

“513.653. 1. Law enforcement agencies involved in using the federal forfeiture system under federal law shall [be required at the end of their respective fiscal year to acquire an independent audit of the federal seizures and the proceeds received therefrom and provide this audit to their respective governing body and to the department of public safety. A copy of such audit shall be provided to the state auditor's office. This audit shall be paid for out of the proceeds of such federal forfeitures] **file a report regarding federal seizures and the proceeds therefrom. Such report shall be filed annually by January thirty-first for the previous calendar year with the department of public safety and the state auditor's office. The report for the calendar year shall include the type and value of items seized and turned over to the federal forfeiture system, the beginning balance as of January first of federal forfeiture funds or assets previously received and not expended or used, the proceeds received from the federal government (the equitable sharing amount), the expenditures resulting from the proceeds received, and the ending balance as of December thirty-first of federal forfeiture funds or assets on hand.** The department of public safety shall not issue funds to any law enforcement agency that fails to comply with the provisions of this section.

2. Intentional or knowing failure to comply with the [audit] **reporting** requirement contained in this section shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 2** was adopted.

Representative Higdon offered **House Amendment No. 3**.

House Amendment No. 3 was withdrawn.

Representative Davis offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 628, Page 18, Section 452.402, Line 33, by inserting after all of said line the following:

"452.413. 1. As used in this section, the following terms shall mean:

(1) **"Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;**

(2) **"Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve**

component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", the legal parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction, and who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to military deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such custody or visitation order shall further require the nondeploying parent to provide the court and the deploying parent with a thirty day advance written notice of any change of address and any change of telephone number. However, if a valid domestic violence court order from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification.

(5) Upon motion of a deploying parent, upon reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion and this shall take precedence on the court's docket.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner, or to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent shall:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Provide timely information regarding the deploying parent's leave schedule to the nondeploying parent.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a temporary hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support. Each party shall provide information to each other in an effort to facilitate agreement on custody and visitation.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days' of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint at the request of the deployed parent or on its own motion a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished by certified mail, return receipt requested, to the nondeploying parent's last known address based on an affidavit of the deploying parent.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) **Other factors as the court may consider appropriate and as may be required by law.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 628, Page 6, Line 19, by deleting all of said line and inserting in lieu thereof the following:

"as may be required by law.

453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

- (1) The person seeking to adopt resides;
- (2) The child sought to be adopted was born;
- (3) The child [is located at the time of] **has resided for at least ninety days prior to** the filing of the **adoption** petition; or
- (4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1 to House Amendment No. 4** was adopted.

Representative Schoeller offered **House Amendment No. 2 to House Amendment No. 4.**

House Amendment No. 2
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 628, Page 1, Line 1, by inserting after all of said line the following:

‘11, Section 195.223, Line 95, by inserting after all of said section and line the following:

“210.135. 1. Any person, official, or institution complying with the provisions of sections 210.110 to 210.165 in the making of a report, the taking of color photographs, or the making of radiologic examinations pursuant to sections 210.110 to 210.165, or both such taking of color photographs and making of radiologic examinations, or the removal or retaining a child pursuant to sections 210.110 to 210.165, or in cooperating with the division, or any other law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state, in any of the activities pursuant to sections 210.110 to 210.165, or any other allegation of child abuse, neglect or assault, pursuant to sections 568.045 to 568.060, shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such actions. Provided, however, any person, official or institution intentionally filing a false report, acting in bad faith, or with ill intent, shall not have immunity from any liability, civil or criminal. Any such person, official, or institution shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

2. Any person, who is not a school district employee, who makes a report to any employee of the school district of child abuse by a school employee shall have immunity from any liability, civil or criminal, that otherwise might result because of such report. Provided, however, that any such person who makes a false report, knowing that the report is false, or who acts in bad faith or with ill intent in making such report shall not have immunity from any liability, civil or criminal. Any such person shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

3. In a case involving the death or serious injury of a child after a report has been made under sections 210.109 to 210.165, the division shall conduct a preliminary evaluation in order to determine whether a review of the ability of the circuit manager or case worker or workers to perform their duties competently is necessary. The preliminary evaluation shall examine:

- (1) The hotline worker or workers who took any reports related to such case;**
- (2) The division case worker or workers assigned to the investigation of such report; and**
- (3) The circuit manager assigned to the county where the report was investigated.**

Any preliminary evaluation shall be completed no later than three days after the child's death. If the division determines a review and assessment is necessary, it shall be completed no later than three days after the child's death.

210.145. 1. The division shall develop protocols which give priority to:

- (1) Ensuring the well-being and safety of the child in instances where child abuse or neglect has been alleged;
- (2) Promoting the preservation and reunification of children and families consistent with state and federal law;
- (3) Providing due process for those accused of child abuse or neglect; and
- (4) Maintaining an information system operating at all times, capable of receiving and maintaining reports.

This information system shall have the ability to receive reports over a single, statewide toll-free number. Such information system shall maintain the results of all investigations, family assessments and services, and other relevant information.

2. The division shall utilize structured decision-making protocols for classification purposes of all child abuse and neglect reports. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child. All child abuse and neglect reports shall be initiated within twenty-four hours and shall be classified based upon the reported risk and injury to the child. The division shall promulgate rules regarding the structured decision-making protocols to be utilized for all child abuse and neglect reports.

3. Upon receipt of a report, the division shall determine if the report merits investigation, including reports which if true would constitute a suspected violation of any of the following: section 565.020, 565.021, 565.023, 565.024, or 565.050 if the victim is a child less than eighteen years of age, section 566.030 or 566.060 if the victim is a child less than eighteen years of age, or other crimes under chapter 566 if the victim is a child less than eighteen years of age and

the perpetrator is twenty-one years of age or older, section 567.050 if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, section 573.025, 573.035, 573.037, or 573.040, or an attempt to commit any such crimes. The division shall immediately communicate all reports that merit investigation to its appropriate local office and any relevant information as may be contained in the information system. The local division staff shall determine, through the use of protocols developed by the division, whether an investigation or the family assessment and services approach should be used to respond to the allegation. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child.

4. When the child abuse and neglect hotline receives three or more calls, within a seventy-two hour period, from one or more individuals concerning the same child, the division shall conduct a review to determine whether the calls meet the criteria and statutory definition for a child abuse and neglect report to be accepted. In conducting the review, the division shall contact the hotline caller or callers in order to collect information to determine whether the calls meet the criteria for harassment.

5. The local office shall contact the appropriate law enforcement agency immediately upon receipt of a report which division personnel determine merits an investigation and provide such agency with a detailed description of the report received. In such cases the local division office shall request the assistance of the local law enforcement agency in all aspects of the investigation of the complaint. The appropriate law enforcement agency shall either assist the division in the investigation or provide the division, within twenty-four hours, an explanation in writing detailing the reasons why it is unable to assist.

[5.] 6. The local office of the division shall cause an investigation or family assessment and services approach to be initiated in accordance with the protocols established in subsection 2 of this section, except in cases where the sole basis for the report is educational neglect. If the report indicates that educational neglect is the only complaint and there is no suspicion of other neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the report. If the report indicates the child is in danger of serious physical harm or threat to life, an investigation shall include direct observation of the subject child within twenty-four hours of the receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct observation. **Callers to the child abuse and neglect hotline shall be instructed by the division's hotline to call 911 in instances where the child may be in immediate danger.** If the parents of the child are not the alleged abusers, a parent of the child must be notified prior to the child being interviewed by the division. **No person responding to or investigating a child abuse and neglect report shall call prior to a home visit or leave any documentation of any attempted visit, such as business cards, pamphlets, or other similar identifying information if he or she has a reasonable basis to believe the following factors are present:**

- (1) (a) No person is present in the home at the time of the home visit; and**
- (b) The alleged perpetrator resides in the home or the physical safety of the child may be compromised if the alleged perpetrator becomes aware of the attempted visit;**
- (2) The alleged perpetrator will be alerted regarding the attempted visit; or**
- (3) The family has a history of domestic violence or fleeing the community.**

If the alleged perpetrator is present during a visit by the person responding to or investigating the report, such person shall provide written material to the alleged perpetrator informing him or her of his or her rights regarding such visit, including but not limited to the right to contact an attorney. The alleged perpetrator shall be given a reasonable amount of time to read such written material or have such material read to him or her by the case worker before the visit commences, but in no event shall such time exceed five minutes; except that, such requirement to provide written material and reasonable time to reach such material shall not apply in cases where the child faces an immediate threat or danger, or the person responding to investigating the report is or feels threatened or in danger of physical harm. If the abuse is alleged to have occurred in a school or child-care facility the division shall not meet with the child in any school building or child-care facility building where abuse of such child is alleged to have occurred. When the child is reported absent from the residence, the location and the well-being of the child shall be verified. For purposes of this subsection, child-care facility shall have the same meaning as such term is defined in section 210.201.

[6.] 7. The director of the division shall name at least one chief investigator for each local division office, who shall direct the division response on any case involving a second or subsequent incident regarding the same subject child or perpetrator. The duties of a chief investigator shall include verification of direct observation of the subject child by the division and shall ensure information regarding the status of an investigation is provided to the public school district liaison. The public school district liaison shall develop protocol in conjunction with the chief investigator to ensure information regarding an investigation is shared with appropriate school personnel. The superintendent of each school district shall designate a specific person or persons to act as the public school district liaison. Should the subject child attend a nonpublic school the chief investigator shall notify the school principal of the investigation. Upon notification of an investigation, all information received by the public school district liaison or the school shall be subject to the

provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34 C.F.R., Part 99.

[7.] 8. The investigation shall include but not be limited to the nature, extent, and cause of the abuse or neglect; the identity and age of the person responsible for the abuse or neglect; the names and conditions of other children in the home, if any; the home environment and the relationship of the subject child to the parents or other persons responsible for the child's care; any indication of incidents of physical violence against any other household or family member; and other pertinent data.

[8.] 9. When a report has been made by a person required to report under section 210.115, the division shall contact the person who made such report within forty-eight hours of the receipt of the report in order to ensure that full information has been received and to obtain any additional information or medical records, or both, that may be pertinent.

[9.] 10. Upon completion of the investigation, if the division suspects that the report was made maliciously or for the purpose of harassment, the division shall refer the report and any evidence of malice or harassment to the local prosecuting or circuit attorney.

[10.] 11. Multidisciplinary teams shall be used whenever conducting the investigation as determined by the division in conjunction with local law enforcement. Multidisciplinary teams shall be used in providing protective or preventive social services, including the services of law enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and other agencies, both public and private.

[11.] 12. For all family support team meetings involving an alleged victim of child abuse or neglect, the parents, legal counsel for the parents, foster parents, the legal guardian or custodian of the child, the guardian ad litem for the child, and the volunteer advocate for the child shall be provided notice and be permitted to attend all such meetings. Family members, other than alleged perpetrators, or other community informal or formal service providers that provide significant support to the child and other individuals may also be invited at the discretion of the parents of the child. In addition, the parents, the legal counsel for the parents, the legal guardian or custodian and the foster parents may request that other individuals, other than alleged perpetrators, be permitted to attend such team meetings. Once a person is provided notice of or attends such team meetings, the division or the convenor of the meeting shall provide such persons with notice of all such subsequent meetings involving the child. Families may determine whether individuals invited at their discretion shall continue to be invited.

[12.] 13. If the appropriate local division personnel determine after an investigation has begun that completing an investigation is not appropriate, the division shall conduct a family assessment and services approach. The division shall provide written notification to local law enforcement prior to terminating any investigative process. The reason for the termination of the investigative process shall be documented in the record of the division and the written notification submitted to local law enforcement. Such notification shall not preclude nor prevent any investigation by law enforcement.

[13.] 14. If the appropriate local division personnel determines to use a family assessment and services approach, the division shall:

(1) Assess any service needs of the family. The assessment of risk and service needs shall be based on information gathered from the family and other sources;

(2) Provide services which are voluntary and time-limited unless it is determined by the division based on the assessment of risk that there will be a high risk of abuse or neglect if the family refuses to accept the services. The division shall identify services for families where it is determined that the child is at high risk of future abuse or neglect. The division shall thoroughly document in the record its attempt to provide voluntary services and the reasons these services are important to reduce the risk of future abuse or neglect to the child. If the family continues to refuse voluntary services or the child needs to be protected, the division may commence an investigation;

(3) Commence an immediate investigation if at any time during the family assessment and services approach the division determines that an investigation, as delineated in sections 210.109 to 210.183, is required. The division staff who have conducted the assessment may remain involved in the provision of services to the child and family;

(4) Document at the time the case is closed, the outcome of the family assessment and services approach, any service provided and the removal of risk to the child, if it existed.

[14.] 15. Within thirty days of an oral report of abuse or neglect, the local office shall update the information in the information system. The information system shall contain, at a minimum, the determination made by the division as a result of the investigation, identifying information on the subjects of the report, those responsible for the care of the subject child and other relevant dispositional information. The division shall complete all investigations within thirty days, unless good cause for the failure to complete the investigation is documented in the information system. If a child involved in a pending investigation dies, the investigation shall remain open until the division's investigation surrounding the death is completed. If the investigation is not completed within thirty days, the information system shall be updated at regular intervals and upon the completion of the investigation. The information in the information system shall be

updated to reflect any subsequent findings, including any changes to the findings based on an administrative or judicial hearing on the matter.

[15.] **16.** A person required to report under section 210.115 to the division and any person making a report of child abuse or neglect made to the division which is not made anonymously shall be informed by the division of his or her right to obtain information concerning the disposition of his or her report. Such person shall receive, from the local office, if requested, information on the general disposition of his or her report. Such person may receive, if requested, findings and information concerning the case. Such release of information shall be at the discretion of the director based upon a review of the reporter's ability to assist in protecting the child or the potential harm to the child or other children within the family. The local office shall respond to the request within forty-five days. The findings shall be made available to the reporter within five days of the outcome of the investigation. If the report is determined to be unsubstantiated, the reporter may request that the report be referred by the division to the office of child advocate for children's protection and services established in sections 37.700 to 37.730. Upon request by a reporter under this subsection, the division shall refer an unsubstantiated report of child abuse or neglect to the office of child advocate for children's protection and services.

[16.] **17.** The division shall provide to any individual who is not satisfied with the results of an investigation information about the office of child advocate and the services it may provide under sections 37.700 to 37.730.

[17.] **18.** In any judicial proceeding involving the custody of a child the fact that a report may have been made pursuant to sections 210.109 to 210.183 shall not be admissible. However:

(1) Nothing in this subsection shall prohibit the introduction of evidence from independent sources to support the allegations that may have caused a report to have been made; and

(2) The court may on its own motion, or shall if requested by a party to the proceeding, make an inquiry not on the record with the children's division to determine if such a report has been made. If a report has been made, the court may stay the custody proceeding until the children's division completes its investigation.

[18.] **19.** In any judicial proceeding involving the custody of a child where the court determines that the child is in need of services [pursuant to subdivision (d)] **under paragraph (d) of subdivision (1)** of subsection 1 of section 211.031 and has taken jurisdiction, the child's parent, guardian or custodian shall not be entered into the registry.

[19.] **20.** The children's division is hereby granted the authority to promulgate rules and regulations pursuant to the provisions of section 207.021 and chapter 536 to carry out the provisions of sections 210.109 to 210.183.

[20.] **21.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.”; and

Further amend said bill, Page’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 2 to House Amendment No. 4** was adopted.

On motion of Representative Davis, **House Amendment No. 4, as amended**, was adopted.

Representative Higdon offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 628, Pages 44-45, Section 537.351, Lines 1-38, by deleting all of said lines and inserting in lieu thereof the following:

“537.351. 1. Except as provided in subsection 2 of this section, a possessor of real property, including an owner, lessee, or other occupant, or an agent of such owner, lessee, or other occupant, owes no duty of care to a trespasser except to refrain from harming the trespasser by an intentional, willful, or wanton act. A possessor of real property may use justifiable force to repel a criminal trespasser as provided by section 563.074.

2. A possessor of real property may be subject to liability for physical injury or death to a trespasser in the following situations:

- (1) If the trespasser is a child who is harmed by a dangerous artificial condition on the land; and
 - (a) The possessor knew or should have known that children were likely to trespass at the location of the condition;
 - (b) The condition is one which the possessor knew or reasonably should have known involved an unreasonable risk of death or serious physical injury to such children;
 - (c) The injured child because of the child's youth did not discover the condition or realize the risk involved in the intermeddling with the condition or in coming within the area made dangerous by the condition;
 - (d) The utility to the possessor of maintaining the condition and the burden of eliminating the danger were slight as compared with the risk to the child involved; and
 - (e) The possessor failed to exercise reasonable care to eliminate the danger or otherwise protect the injured child; or
- (2) The possessor knew or should have known that trespassers consistently intrude upon a limited area of the possessor's land where the trespasser was harmed, the harm resulted from a dangerous artificial condition on the land; and
 - (a) The possessor created or maintained the artificial condition that caused the injury;
 - (b) The possessor knew that the condition was likely to cause death or serious bodily harm to trespassers;
 - (c) The possessor knew or should have known that the condition was of such a nature that trespassers would not discover it; and
 - (d) The possessor failed to exercise reasonable care to warn trespassers of the condition and the risk involved; or
- (3) If the possessor knew of the trespasser's presence on the land and failed to exercise ordinary care as to active operations carried out on the land.

3. This section does not create or increase the liability of any possessor of real property and does not affect any immunities from or defenses to liability established under state law or available under common law to which a possessor of real property may be entitled under circumstances not covered by this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 5** was adopted.

Representative McManus offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 628, Page 16, Section 211.444, Line 20, by inserting after all of said section the following:

“386.510. With respect to commission orders or decisions issued on and after July 1, 2011, within thirty days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the rendition of the decision on rehearing, the applicant may file a notice of appeal with the commission, which shall also be served on the parties to the commission proceeding in accordance with section 386.515, and which **the commission** shall [also be filed with] **forward to** the appellate court with the territorial jurisdiction over the county where the hearing was held or in which the commission has its principal office for the purpose of having the reasonableness or lawfulness of the original order or decision or the order or decision on rehearing inquired into or determined. Except with respect to a stay or suspension pursuant to subsection 1 of section 386.520, no new or additional evidence may be introduced in the appellate court but the cause shall be heard by the court without the intervention of a jury on the evidence and exhibits introduced before the commission and certified to by it. The notice of appeal shall include the appellant's application for rehearing, a copy of the reconciliation required by subsection 4 of section 386.420, a concise statement of the issues being appealed, a full and complete list of the parties to the commission proceeding, and any other information specified by the rules of the court. Unless otherwise ordered by the court of appeals, the commission shall, within thirty days of the filing of the notice of appeal, certify its record in the case to the court of appeals. The commission and each party to the action or proceeding before the commission shall have the right to intervene and participate fully in the review proceedings. Upon the submission of the case to the court of appeals, the court of appeals shall render its opinion either

affirming or setting aside, in whole or in part, the order or decision of the commission under review. In case the order or decision is reversed by reason of the commission failing to receive testimony properly proffered, the court shall remand the cause to the commission, with instructions to receive the testimony so proffered and rejected, and enter a new order or render a new decision based upon the evidence theretofore taken, and such as it is directed to receive. The court may, in its discretion, remand any cause which is reversed by it to the commission for further action. No court in this state, except the supreme court or the court of appeals, shall have jurisdiction or authority to review, reverse, correct or annul any order or decision of the commission or to suspend or delay the executing or operation thereof, or to enjoin, restrain or interfere with the commission in the performance of its official duties. The appellate courts of this state shall always be deemed open for the trial of suits brought to review the orders and decisions of the commission as provided in the public service commission law and the same shall where necessary be tried and determined as suits in equity.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McManus, **House Amendment No. 6** was adopted.

Representative Franz offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 628, Page 5, Section 56.807, Line 60, by inserting after all of said section and line, the following:

“57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section[; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence]. **The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars[, other than regular budget allocations or land sale proceeds,] **in any**

calendar year shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 7** was adopted.

Representative Franz offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 628, Page 3, Section 32.056, Line 19, by inserting after all of said line the following:

“50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary**, a death benefit of ten thousand dollars **and, in the case of an active member who dies after December 31, 2002, and before becoming vested, an amount equal to the amount of the member's accumulated contributions standing to his or her credit in the fund** shall be paid to the designated beneficiary of every active member upon his or her death or, if the member fails to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then in equal shares to the member's surviving children. If there is neither a surviving spouse or surviving children, then the benefit shall be paid to the active member's estate.

2. If the member executes a beneficiary designation form and lists more than one beneficiary but fails to list the percentage of benefit that each beneficiary should receive, then the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years of creditable service shall forfeit all rights in the fund, including the member's accrued creditable service as of the date of the member's termination of employment, but may receive any refund of contributions to which the member is entitled pursuant to subsection 3 of this section **or subsection 1 of section 50.1130**.

2. A member who terminates employment with at least eight years of creditable service shall be entitled to an annuity from the fund, determined in accordance with the formula described in section 50.1060. The member may elect to defer the receipt of his or her annuity, until the member's attainment of age sixty-two, or the member may elect to begin receiving his or her annuity on the first day of any month following the later of the date of termination of employment or age fifty-five. If the member begins receiving an annuity before age sixty-two and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by four-tenths of one percent for each month the commencement date of the annuity precedes age sixty-two, and an additional three-tenths of one percent for each month the commencement date of the annuity precedes age sixty.

3. In the event a member ceases to be a member other than by death before the date the member becomes vested in the system, the member shall be paid, upon his or her written application filed with the board, the member's accumulated contributions standing to his or her credit in the members' deposit fund.

4. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee, completing a total of eight years of uninterrupted creditable service, and purchasing the forfeited service by paying into the fund the forfeited amount previously refunded to the participant or credited to the participant's county plus interest equal to the current prime rate plus two percent.”; and

Further amend said bill, Page 6, Section 67.2010, Line 16, by inserting after all of said line the following:

“104.603. 1. Effective with transfers of service between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system that occur on or after September 1, 2011, upon a reciprocal transfer of creditable or credited service pursuant to section 104.602 or subsection 8 of section 104.1021, the sending system from which the service is transferred shall pay the receiving system to which the service is transferred the present value of the accrued benefit as determined pursuant to subsection 2 of this section.

2. For purposes of this section, the present value of the accrued benefit shall be determined using the actuarial assumptions of the sending system used in that system's last regular valuation assuming active member status and using the unit credit actuarial cost method. However, in no event shall the payment amount be less than the sum of the member's accumulated contributions and interest plus any purchased service payments from the member held on deposit by the sending system. If the member had received a refund of accumulated contributions from the sending system and forfeited service credit with that system, the member would need to reestablish that service with the sending system by again becoming an active member of a system covered by this chapter and satisfying requirements otherwise stipulated for reestablishing service credit. **However, in the event the member had previously transferred service from the receiving system to the sending system which was not subject to an asset transfer under this section, then that service will be excluded from the computation of the accrued benefit. In the event any prior payments by a sending system under this section included an amount for previously transferred service that was not subject to this section, the receiving system shall return to the sending system the present value amount attributable to such service, including interest as determined and agreed to by both systems.**

3. The service transfer shall not be deemed completed until the sending system makes payment to the receiving system as prescribed in this section. Payments shall be made within ninety days of the date that a completed transfer request is submitted by a member.

4. When the transfer payment includes an amount identified as corresponding to a member's accumulated contributions, the accumulated contributions portion shall be identified, and further, the accumulated contributions balance as of the preceding July first shall be identified and the receiving system shall be responsible for crediting interest according to the terms of the receiving plan.

5. The systems shall coordinate their plan administration for reciprocal transfers to give full effect to the transfer including the transfer and acceptance of corresponding division of benefit orders.

6. The member or survivor obtaining a reciprocal transfer of service covered by this section shall satisfy all requirements under section 104.602 or subsection 8 of section 104.1021 to obtain a transfer of credited or creditable service and shall satisfy the requirements under section 104.1091 with the receiving system to reestablish forfeited service previously accrued at either system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 8** was adopted.

Representative Schad offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 628, Page 3, Section 32.056, Line 19, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a [web page] **website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 5, 6, and 7 of this section**, the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) [Any photographs of the offender] **A current photograph of the individual, which shall be taken by the registering official;**
- (6) [A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7)] The nature and dates of all offenses qualifying the offender to register;
- [(8)] (7) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- [(9)] (8) Compliance status of the offender with the provisions of section 589.400 to 589.425; and
- [(10)] (9) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender; **and**
- (10) The status of the offender's term of incarceration, probation, or parole.**

5. **Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:**

- (1) There is no other offense for which the offender is required to register;**
- (2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and**
- (3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.**

6. **Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.**

7. **Juveniles required to register under section 589.400 shall be excluded from the website.";** and

Further amend said bill, Page 60, Section 570.120, Line 78, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is [exempted] **exempt** from registering under subsection 6, 8, or 10 of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia**, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within [three] **five business** days of [conviction] **adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile described in subdivision (6) of subsection 1 of this section, within five business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within [three] **five business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official[, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested].

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender;**

(3) The registrant is **exempt** or is no longer required to register [and his or her name shall be removed from the registry] under the provisions of subsection 6, **8, or 10** this section; or

(4) The [registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the] court orders the removal [or exemption] of such person from the registry **under subsection 7, 9, or 10 of this section or section 589.401.**

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

(1) **Felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child; or**

(2) **Nonsexual child abuse that was committed under section 568.060; or**

(3) Kidnapping of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry **or who otherwise would be required to register** for [being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child] **any offense listed in subsection 6 of this section** shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

8. Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:

- (1) Sexual misconduct in the second degree under section 566.093; or**
- (2) Sexual misconduct in the third degree under section 566.095; or**
- (3) Promoting obscenity in the first degree under section 573.020; or**
- (4) Promoting obscenity in the second degree under section 573.030; or**
- (5) Furnishing pornographic materials to minors under section 573.040; or**
- (6) Public display of explicit sexual material under section 573.060; or**
- (7) Coercing acceptance of obscene material under section 573.065,**

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.] **9.** Any person currently on the sexual offender registry **or who otherwise would be required to register** for [having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register] **any offense listed in subsection 8 of this section shall be removed from the registry; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.**

[8.] **10.** Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.] **11.** (1) The court may grant such relief under subsection [7 or 8] **9 or 10** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.] **12.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education [and is not entitled to relief under the provisions of subsection 9 of this section]. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency [and is not entitled to the provisions of subsection 9 of this section].

[11.] **13.** Any person whose name is removed or **who is** exempted from the sexual offender registry under subsection [7 or 8] **6, 7, 8, 9, or 10** of this section shall [no longer] **not** be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

14. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

589.401. 1. Any person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name and information removed from the sexual offender registry; except that, any person having multiple offenses requiring registration under sections 589.400 to 589.425 shall not be eligible for removal from the registry until all applicable time requirements under subsections 2 and 3 of this section for all such offenses have elapsed. If the offense requiring registration was adjudicated in another state, the District of Columbia, a foreign country, or a territory, tribal, or military jurisdiction such person may file a petition in the division of the circuit court in the county in which such person resides.

2. A person who is required to register under the provisions of sections 589.400 to 589.425 for any of the following offenses or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if twenty years has not elapsed since the date the person was required to register:

(1) Kidnapping when a sexual offense under chapter 566 was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under chapter 566 and when the victim was less than eighteen years of age and excluding kidnapping by a parent or guardian under section 565.110;

(2) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(3) Forcible rape under section 566.030;

(4) Forcible sodomy under section 566.060;

(5) Sexual trafficking of a child under section 566.212;

(6) Sexual trafficking of a child under the age of twelve, under section 566.213; or

(7) Child molestation in the first degree when it is a class A felony under section 566.067.

3. A person who is required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of this section or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if ten years has not elapsed since the date the person was required to register.

4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for one year immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for one year immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

- (1) The petitioner's:
 - (a) Full name;
 - (b) Sex;
 - (c) Race;
 - (d) Date of birth;
 - (e) Last four digits of the Social Security number;
 - (f) Address;
 - (g) Place of employment, school, or volunteer status;
 - (2) The offense that required the petitioner to register;
 - (3) The date the petitioner pled to, was convicted of, or was adjudicated for the offense;
 - (4) The date the petitioner was required to register;
 - (5) The date the petitioner actually registered;
 - (6) The case number and court, including county, that entered the original order for the adjudicated sex offense;
 - (7) The petitioner's fingerprints on an applicant fingerprint card;
 - (8) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and
 - (9) That the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.
6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.
7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.
8. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking removal, of the petition and an opportunity to present evidence in opposition to the facts alleged in the petition. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.
9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner, including but not limited to criminal history records under section 43.530, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.
10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.
11. Except as otherwise provided under subsection 12 of this section, the court shall enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from any corresponding state or local law enforcement registry or website unless it finds that the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction:
- (1) Has been adjudicated of or has charges pending for failure to register;
 - (2) Has been adjudicated of any additional offense which would require registration as a sexual offender and which occurred after the date such person initially registered as a sexual offender;
 - (3) Has charges pending for any offense which would require registration as a sexual offender;
 - (4) Has not successfully completed any required periods of supervised release, probation, or parole; and
 - (5) Has not successfully completed all appropriate sexual offender treatment, including any court-ordered treatment and any treatment ordered by the department of corrections.
12. For any person who has been convicted of a crime listed in subsection 2 of this section, the court may enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from corresponding state or local law enforcement registry or website upon the filing of a petition for removal and submission of the petitioner's completed risk assessment evaluation conducted by a licensed mental health professional unless it finds that subdivisions (1) to (5) of subsection 11 apply to the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction.
13. In order to prove the facts required by subdivisions (1), (2), and (3) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol and the Federal Bureau of Investigation.

14. Except as provided in subsection 14 of this section, if it is found that the petition is denied, a successive petition requesting such relief may be filed under this section one year after the date of such denial unless such denial is based on a subsequent conviction of a sex offense or failure to register, in which case no successive petition shall be filed.

15. If it is found that the petition is denied solely on the basis of the fact that the petitioner has pending charges and those charges are subsequently dismissed or the petitioner is subsequently acquitted of such pending charges, the petitioner may file a new petition under this section at any time after the dismissal or acquittal of such pending charges.

16. If the court finds that the petitioner is entitled to have his or her name and information removed from the sexual offender registry, the court shall enter judgment directing the respondents to remove the petitioner's name and information from all law enforcement sexual offender registries and public websites within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to judgment requiring his or her name or information to be removed from the sexual offender registry shall not be required to register or report under sections 589.400 to 589.425 unless such person is required to register and report for an offense that was committed after the judgment of removal was entered.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a [web page] **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided by subsections 5, 6, and 7 of this section**, the registered sexual offender search [shall] **may** make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. Only the information listed in this subsection [shall] **may** be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) [Any photographs of the offender] **A current photograph of the individual, which shall be taken by the registering official;**
- (6) [A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7)] The nature and dates of all offenses qualifying the offender to register;
- [(8)] (7) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- [(9)] (8) Compliance status of the offender with the provisions of sections 589.400 to 589.425; [and]
- [(10)] (9) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender; **and**
- (10) The status of the offender's term of incarceration, probation, or parole.**

4. The chief law enforcement officer of any county or city not within a county may [publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county] **give notice to any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, any child care facility licensed under chapter 210, or any child care facility defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, that a sex offender is residing, working, or attending school within a five mile radius of such school or child care facility. Such notice shall only include the sex offender information described in subsection 3 of this section.**

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen

under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

- (1) There is no other offense for which the offender is required to register;
- (2) The offender is not a repeat offender as defined in section 589.404; and
- (3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website.

589.403. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections [or], any mental health institution, **private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall:

(1) **If the person plans to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release, to the Missouri state highway patrol and to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release**]. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.]; **or**

(2) **If the person does not reside or plan to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within five business days as directed, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.405. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall [obtain the address where the person expects to reside upon discharge, parole or release and shall] **make it a condition of probation that the offender report, within [three] five business days[, such address] to the chief law enforcement official of the county of adjudication or city not within a county [where the person expects to reside, upon discharge, parole or release.] of adjudication, to complete the initial registration. If such offender is not placed on probation, the court shall:**

(1) **If the offender resides in Missouri**, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;

(2) **If the offender does not reside in Missouri**, the court shall:

(a) Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and

(b) Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.

2. If the offender refuses to complete and sign the registration information as outlined in subdivision (1) of subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief

law enforcement official as outlined in subdivision (2) of subsection 1 of this section, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **shall consist of a statement in writing, including the signature of the offender and** shall include, but is not limited to the following:

(1) [A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;] **The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) The date of birth of the individual to include any alias dates of birth used;

(3) The address of the individual's residence or, if the individual is homeless, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;

(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;

(5) The name and address of any institutions of higher education that the individual attends;

(6) The Social Security number of the individual including any alias Social Security numbers used;

(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;

(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;

(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;

(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim and the offender at the time of the offense;

(13) If the offender was required to successfully complete appropriate sexual offender treatment, including any court-ordered treatment or any treatment ordered by the department of corrections, the date that the offender successfully completed such treatment, or a statement, that as of the date of registration, the offender has not yet successfully completed the required sexual offender treatment or has failed to successfully complete the required sexual offender treatment;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates; and

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

[2.] (1) The fingerprints, palm prints, and a photograph of the person; [and]

(2) A current photograph of the individual to be taken by the registering official; and

(3) A DNA sample from the individual, if a sample has not already been obtained.

[2.] **3. The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:**

(1) A photocopy of a valid driver's license or nondriver's identification card; and

(2) A document verifying proof of the offender's residency; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles].

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

6. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and if any inaccuracies are found provide proof of the information in question. The registering law enforcement official shall, within three business days of receipt of proof from the offender regarding the inaccuracy, correct the inaccuracy on its law enforcement registry and on its public website, if any, and shall notify the Missouri state highway patrol of the change in information. The Missouri state highway patrol shall, within three business days of notification by the registering law enforcement official, correct the inaccuracy on its law enforcement registry and on its public website.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425, and a statement to such effect shall be included on the form that the individual is required to sign at each registration.

589.410. 1. The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. Upon receipt of each completed offender registration form, the Missouri state highway patrol shall review the information contained in the form to determine whether, according to the form, the offender will be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the registration form, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than [three] five business days [after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,] appear in person to the chief law enforcement officer of the county or city not within a county [and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days] if there is a change to any of the following information:

- (1) Name;
- (2) Residence;
- (3) Employment;
- (4) Student status; or
- (5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within five business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

- (1) Vehicle information;
- (2) Temporary residence information; or
- (3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

4. The Missouri state highway patrol shall review any changes received from registering officials under subsection 3 of this section to determine whether the offender will now be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the

county of registration. If so, the patrol shall, within three business days of receipt of the changes, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

[2.] **5.** If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state, **or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state, **or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state, **or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall report in person to the chief law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.] **6.** In addition to the requirements of subsections 1 [and], 2, **and 5** of this section, [all registrants] **any person required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction**, shall report [semiannually] **annually** in person in the month of their birth [and six months thereafter] to the chief law enforcement [agency] **official** to verify the information contained in their statement made pursuant to section 589.407]. All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency] **and six months thereafter shall report by mail on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.**

7. In addition to the requirements of subsections 1, 2, and 5 of this section, any person required to register under the provisions of sections 589.400 to 589.425 for any offenses listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition, such offenders shall report by mail ninety days after each in-person report on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.

[5.] **8.** In addition to the requirements of subsections 1 [and], 2, **and 5** of this section, all Missouri registrants who work, **including as a volunteer or unpaid intern**, or attend **any** school [or training], **whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education** on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

[6. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.]

9. Whenever any person reports under the provisions of this section in person and in the month of their birth, the registering law enforcement official shall take a current photograph of the offender."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 9** was adopted.

Representative Solon offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 628, Page 41, Section 513.430, Line 87, by inserting after all of said line the following:

“513.432. 1. This section shall be known and may be cited as the "Senior's Retirement Protection Act".
2. Notwithstanding any other provision of law to the contrary, any person age sixty-two years of age or older, together with his or her spouse if applicable, owning a home which is such person's primary residence shall have exempt from attachment or execution the home's value up to one hundred twenty-five thousand dollars. If more than one home owner claims an exemption under this section, the exemption allowed in the aggregate shall not exceed the total exemption allowed under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 10** was adopted.

Representative Denison offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 628, Page 51, Section 542.301, Line 176, by after all of said line and section inserting the following:

“544.455. 1. Any person charged with a bailable offense, at his or her appearance before an associate circuit judge or judge may be ordered released pending trial, appeal, or other stage of the proceedings against him on his personal recognizance, unless the associate circuit judge or judge determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the associate circuit judge or judge may either in lieu of or in addition to the above methods of release, impose any or any combination of the following conditions of release which will reasonably assure the appearance of the person for trial:

(1) Place the person in the custody of a designated person or organization agreeing to supervise him;
(2) Place restriction on the travel, association, or place of abode of the person during the period of release;
(3) Require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof **by a defendant or a third party; however, under article I, section 20 of the Missouri Constitution, the court shall accept in lieu of a cash only bond a guarantee from any surety who is in compliance with general laws regulating such profession;**

(4) Require the person to report regularly to some officer of the court, or peace officer, in such manner as the associate circuit judge or judge directs;

(5) [Require the execution of a bond in a given sum and the deposit in the registry of the court of ten percent, or such lesser percent as the judge directs, of the sum in cash or negotiable bonds of the United States or of the state of Missouri or any political subdivision thereof;

(6)] Place the person on house arrest with electronic monitoring, except that all costs associated with the electronic monitoring shall be charged to the person on house arrest. If the judge finds the person unable to afford the costs associated with electronic monitoring, then the judge shall not order that the person be placed on house arrest with electronic monitoring;

[(7)] (6) Impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

2. In determining which conditions of release will reasonably assure appearance, the associate circuit judge or judge shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources,

character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or flight to avoid prosecution or failure to appear at court proceedings.

3. An associate circuit judge or judge authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

4. A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the condition reviewed by the associate circuit judge or judge who imposed them. The motion shall be determined promptly.

5. An associate circuit judge or judge ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release; except that, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection 4 of this section shall apply.

6. Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

7. Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

8. Persons charged with violations of municipal ordinances may be released by a municipal judge or other judge who hears and determines municipal ordinance violation cases of the municipality involved under the same conditions and in the same manner as provided in this section for release by an associate circuit judge.

9. A circuit court may adopt a local rule authorizing the pretrial release on electronic monitoring pursuant to subdivision (5) of subsection 1 of this section in lieu of incarceration of individuals charged with offenses specifically identified therein.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 11** was adopted.

Representative Ellinger offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 628, Page 5, Section 67.136, Line 8, by after all of said line inserting the following:

“67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to

the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are** to be appointed as follows:

(a) One member **of a five member board, or two members of a nine member board**, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member **or members** shall be appointed in any manner agreed upon by the affected districts;

(b) Three members **of a five member board, or five members of a nine member board**, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member **of a five member board, or two members of a nine member board**, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, **except that when a nine member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years**, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

- (1) A statement of its primary economic development goals;
- (2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;
- (3) A statement of total expenditures during the preceding calendar year in each of the following categories:
 - (a) Infrastructure improvements;
 - (b) Land and or buildings;
 - (c) Machinery and equipment;
 - (d) Job training investments;
 - (e) Direct business incentives;
 - (f) Marketing;
 - (g) Administration and legal expenses; and
 - (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (117) offered **House Amendment No. 1 to House Amendment No. 12.**

House Amendment No. 1
to
House Amendment No. 12

AMEND House Amendment No. 12 to House Committee Substitute for Senate Bill No. 628, Page 5, Line 5, by inserting after all of said line the following:

‘Further amend said bill, Page 6, Section 67.2010, Line 16, by inserting after all of said section and line the following:

“135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; [and]

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

(a) The state of Missouri over the previous twelve months; or

(b) The county or city not within a county over the previous twelve months; **and**

(5) No finding of blight under this chapter shall be used to meet the conditions for blight under any other statute of this state.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

(1) The potential to create sustainable jobs in a targeted industry; or

(2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.”; and

Further amend said bill, Page 58, Section 570.120, Line 21, by inserting after all of said section and line the following:

“Section 1. Whenever the fiscal body of one (1) or more eligible entities, acting individually or jointly, adopts an ordinance or a resolution in favor of the establishment of an airport authority under this chapter, there is established an airport authority. The authority has jurisdiction over a district with boundaries conterminous with the jurisdictional boundaries of the entity or entities adopting the ordinance or resolution. The authority must have a name including the words “airport authority.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1 to House Amendment No. 12** was adopted.

On motion of Representative Ellinger, **House Amendment No. 12, as amended**, was adopted.

Representative Kirkton offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 628, Page 36, Section 488.2250, Line 16, by deleting the words, **“and sixty cents”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kirkton, **House Amendment No. 13** was adopted.

On motion of Representative Kelly (24), **HCS SB 628, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS SB 628, as amended**, was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary

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McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Zerr
Mr Speaker				

NOES: 003

Ellington	Marshall	Smith 71
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PRESENT: 001

Conway 27

ABSENT WITH LEAVE: 013

Atkins	Brown 50	Colona	Flanigan	Franklin
Gatschenberger	Lasater	Sater	Schatz	Schieffer
Webber	Wright	Wyatt		

Speaker Tilley declared the bill passed.

Representative Barnes assumed the Chair.

HCS SCS SB 635, relating to financial transactions, was taken up by Representative Phillips.

Representative Phillips offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 6, Section 228.369, Line 20, by deleting the word, “**apportionment**” and inserting in lieu thereof the word, “**appointment**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Phillips, **House Amendment No. 1** was adopted.

Representative Bandom offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 6, Section 228.374, Line 9, by inserting after all of said section and line, the following:

“339.500. This act shall be known and may be cited as the "Missouri Certified and Licensed Real Estate Appraisers **and Appraisal Management Company Regulation Act**".

339.501. 1. Beginning July 1, 1999, it shall be unlawful for any person in this state to act as a real estate appraiser, or to directly or indirectly, engage or assume to engage in the business of real estate appraisal or to advertise or hold himself or herself out as engaging in or conducting such business without first obtaining a license or certificate issued by the Missouri real estate appraisers commission as provided in sections 339.500 to 339.549.

2. **Except for licenses issued to appraisal management companies under section 339.511**, no license or certificate shall be issued pursuant to sections 339.500 to 339.549 to a partnership, association, corporation, firm or group; except that, nothing in this section shall preclude a state-licensed or state-certified real estate appraiser from rendering appraisals for, or on behalf of, a partnership, association, corporation, firm or group, provided the appraisal report is prepared by, or under the immediate personal direction of the state-licensed or state-certified real estate appraiser and is reviewed and signed by such state-licensed or state-certified appraiser.

3. Any person who is not state licensed or state certified pursuant to sections 339.500 to 339.549 may assist a state-licensed or state-certified real estate appraiser in the performance of an appraisal; provided that, such person is personally supervised by a state-licensed or state-certified appraiser and provided further that any appraisal report rendered in connection with the appraisal is reviewed and signed by the state-licensed or state-certified real estate appraiser.

4. Nothing in sections 339.500 to 339.549 shall abridge, infringe upon or otherwise restrict the right to use the term "certified ad valorem tax appraiser" or any similar term by persons performing ad valorem tax appraisals.

5. The provisions of sections 339.500 to 339.549 shall not be construed to require a license or certificate for:

(1) Any person, partnership, association or corporation who, as owner, performs appraisals of property owned by such person, partnership, association or corporation;

(2) Any licensed real estate broker or salesperson who prepares a comparative market analysis or a broker price opinion;

(3) Any employee of a local, state or federal agency who performs appraisal services within the scope of his or her employment; except that, this exemption shall not apply where any local, state or federal agency requires an employee to be registered, licensed or certified to perform appraisal services;

(4) Any employee of a federal or state-regulated lending agency or institution;

(5) Any agent of a federal or state-regulated lending agency or institution in a county of third or fourth classification.

339.503. As used in sections 339.500 to 339.549, the following words and phrases mean, unless the context clearly indicates otherwise:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal assignment", an engagement for which a person is employed or retained to act as a disinterested third party in rendering an objective appraisal;

(3) **"Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produces appraisals;**

(4) "Appraisal foundation", the organization of the same name that was incorporated as an Illinois not-for-profit corporation on November 20, 1987, whose operative boards are the appraisal standards board and the appraiser qualifications board;

(5) **"Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;**

(6) **"Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:**

(a) **Administer an appraiser panel;**

(b) **Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;**

(c) **Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;**

(d) **Track and determine the status of orders for appraisals performed by appraisers who are part of an appraisal panel;**

(e) Conduct quality control of a completed appraisal performed by an appraiser who is part of an appraisal panel prior to the delivery of the appraisal to the person who ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser who is part of an appraisal panel to one or more persons who have ordered an appraisal;

[(4)] (7) "Appraisal report", any communication, written or oral, of an appraisal. The purpose of an appraisal is immaterial, therefore valuation reports, real estate counseling reports, real estate tax counseling reports, real estate offering memoranda, mortgage banking offers, highest and best use studies, market demand and economic feasibility studies and all other reports communicating an appraisal analysis, opinion or conclusion are appraisal reports, regardless of title;

[(5)] (8) "Appraisal standards board (ASB)", the independent board of the appraisal foundation which promulgates the generally accepted standards of the appraisal profession and the uniform standards of professional appraisal practices;

(9) "Appraiser", an individual who holds a license as a state-licensed real estate appraiser or certification as a state-certified real estate appraiser under sections 339.500 to 339.549;

(10) "Appraisal panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons who have ordered appraisals through the appraisal management company, or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company, or to perform appraisals for the appraisal management company directly;

[(6)] (11) "Appraiser qualifications board (AQB)", the independent board of the appraisal foundation which establishes minimum experience, education and examination criteria for state licensing of appraisers;

[(7)] (12) "Boat dock", a structure for loading and unloading boats and connecting real property to water, public or private. A boat dock is real property and has riparian rights, provided:

(a) The lender includes the boat dock as a fixture both in the lender's deed of trust and a uniform commercial code fixture filing under section 400.9-502;

(b) The boat dock is attached to the real property by steel cable, bar, or chain that is permanently imbedded in concrete or rock, and otherwise securely attached to the dock; and

(c) The owner of the dock has riparian rights by means of real estate rights bordering the body of water, including such rights by license, grant, or other means allowing access to the body of water, which access may be seasonal because the water may be reduced for electric power production or flood control;

[(8)] (13) "Boat slip" or "watercraft slip", a defined area of water, including the riparian rights to use such area, whether by grant, lease, or license, in accordance with all applicable laws and regulations, which is a part of a boat dock serving a common interest community, including by way of example and not of limitation condominiums and villas; and the exclusive right to such use being allocated as a limited common element or being assigned to an owner of real estate in the common interest community in which the boat dock is located, whether by grant, lease, or otherwise. The rights of the real estate owner in such slip are included as collateral in any deed of trust and uniform commercial code filings of a lender, if any, taking a security interest in the owner's real estate;

[(9)] (14) "Broker price opinion", an opinion of value, prepared by a real estate licensee for a fee, that includes, but is not limited to, analysis of competing properties, comparable sold properties, recommended repairs and costs or suggested marketing techniques. A broker price opinion is not an appraisal and shall specifically state it is not an appraisal;

[(10)] (15) "Certificate", the document issued by the Missouri real estate appraisers commission evidencing that the person named therein has satisfied the requirements for certification as a state-certified real estate appraiser and bearing a certificate number assigned by the commission;

[(11)] (16) "Certificate holder", a person certified by the commission pursuant to the provisions of sections 339.500 to 339.549;

[(12)] (17) "Certified appraisal report", an appraisal prepared or signed by a state-certified real estate appraiser. A certified appraisal report represents to the public that it meets the appraisal standards defined in sections 339.500 to 339.549;

[(13)] (18) "Commission", the Missouri real estate appraisers commission, created in section 339.507;

[(14)] (19) "Comparative market analysis", the analysis of sales of similar recently sold properties in order to derive an indication of the probable sales price of a particular property undertaken by a licensed real estate broker or agent, for his or her principal. A comparative market analysis is not an appraisal and shall specifically state it is not an appraisal;

(20) "Controlling person":

(a) An owner, officer, or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

[(15)] (21) "Disinterested third party" shall not exclude any state-certified real estate appraiser or state-licensed real estate appraiser employed or retained by any bank, savings association, credit union, mortgage banker or other lender to perform appraisal assignments, provided that the appraisal assignments are rendered with respect to loans to be extended by the bank, savings association, credit union, mortgage banker or other lender, and provided further that the state-certified real estate appraiser or state-licensed real estate appraiser is not requested or required to report a predetermined analysis or opinion of value;

[(16)] (22) "License" or "licensure", a license or licensure issued pursuant to the provisions of sections 339.500 to 339.549 evidencing that the person **or other legal entity** named therein has satisfied the requirements for licensure as a state-licensed real estate appraiser **or licensed appraisal management company** and bearing a license number assigned by the commission;

(23) "Licensed appraisal management company", a person **or other legal entity who holds a current valid license as a licensed appraisal management company under sections 339.500 to 339.549;**

[(17)] (24) "Real estate", an identified parcel or tract of land, including improvements, if any;

[(18)] (25) "Real estate appraiser" or "appraiser", a person who for a fee or valuable consideration develops and communicates real estate appraisals or otherwise gives an opinion of the value of real estate or any interest therein;

[(19)] (26) "Real estate appraising", the practice of developing and communicating real estate appraisals;

[(20)] (27) "Real property", the interests, benefits and rights inherent in the ownership of real estate;

[(21)] (28) "Residential real estate", any parcel of real estate, improved or unimproved, that is primarily residential in nature and that includes or is intended to include a residential structure containing not more than four dwelling units and no other improvements except those which are typical residential improvements that support the residential use for the location and property type. A residential unit is a condominium, town house or cooperative complex, or a planned unit development is considered to be residential real estate. Subdivisions are not considered residential real estate. Individual parcels of property located within a residential subdivision shall be considered residential property;

[(22)] (29) "Specialized appraisal services", appraisal services which do not fall within the definition of appraisal assignment. The term "specialized services" may include valuation work and analysis work. Regardless of the intention of the client or employer, if the appraiser is acting as a disinterested third party in rendering an unbiased analysis, opinion or conclusion, the work is classified as an appraisal assignment and not specialized services;

(30) "State-certified general appraiser trainee", a person who holds a current valid certificate as a state-certified general appraiser trainee issued under sections 339.500 to 339.539;

[(23)] (31) "State-certified general real estate appraiser", a person who holds a current, valid certificate as a state-certified general real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(32) "State-certified residential appraiser trainee", a person who holds a current valid certificate as a state-certified residential appraiser trainee under sections 339.500 to 339.539;

[(24)] (33) "State-certified residential real estate appraiser", a person who holds a current, valid certificate as a state-certified residential real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(34) "State-licensed appraiser trainee", a person who holds a current valid license as a state-licensed appraiser trainee under sections 339.500 to 339.549;

[(25)] (35) "State-licensed real estate appraiser", a person who holds a current, valid license as a state-licensed real estate appraiser pursuant to the provisions of sections 339.500 to 339.549;

[(26)] (36) "Subdivision", a tract of land that has been divided into blocks or plots with streets, roadways, open areas and other facilities appropriate to its development as residential, commercial or industrial sites;

[(27)] (37) "Temporary appraiser licensure or certification", the issuance of a temporary license or certificate by the commission to a person licensed or certified in another state who enters this state for the purpose of completing a particular appraisal assignment.

339.505. 1. It shall be unlawful for any person in this state to assume or use the title "state-licensed real estate appraiser" or "state-certified real estate appraiser", or any title, designation or abbreviation likely to create the impression of licensure or certification by the state of Missouri as a real estate appraiser, unless the person has first been licensed or certified by the Missouri real estate appraisers commission pursuant to the provisions of sections 339.500 to 339.549. The commission may adopt for the exclusive use of persons licensed or certified pursuant to sections 339.500 to 339.549, a seal, symbol or other mark identifying the user as a state-licensed or state-certified real estate appraiser.

2. Any person certified as a real estate appraiser by an appraisal trade organization, on August 28, 1998, shall retain the right to use the term "certified" or any similar term in identifying himself or herself to the public; provided that, in each instance wherein such term is used, the name of the certifying organization or body is prominently and conspicuously displayed immediately adjacent to such term, and provided further that the use of such term does not create the impression of certification by the state of Missouri. Nothing in this section shall entitle any person certified only by a trade organization, and not certified or licensed by the state, the right to conduct any appraisal.

3. The term "state-licensed real estate appraiser", "state-certified real estate appraiser" or any similar term shall not be used following or immediately in connection with the name of a partnership, association, corporation or other firm or group or in such manner that it might create the impression of licensure or certification by the state of Missouri as a real estate appraiser.

4. No person shall, directly or indirectly, engage or attempt to engage in the business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.500 to 339.549; except for:

- (1) The performance of services as an appraisal firm;
- (2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the Missouri department of insurance, financial institutions and professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution;
- (3) An appraisal management company that is a subsidiary owned and controlled by a financial institution and regulated by a federal institution regulatory agency;
- (4) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;
- (5) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;
- (6) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.

339.509. The commission shall have the following powers and duties:

- (1) To establish educational programs and research projects related to the appraisal of real estate;
- (2) To establish administrative procedures for processing applications and issuing **trainee licenses**, certificates of state-certified real estate appraisers [and], licenses of state-licensed real estate appraisers, **and licenses of appraisal management companies**, and for conducting disciplinary proceedings pursuant to the provisions of sections 339.500 to 339.549 **or as required by federal law or regulation**; and shall have authority to determine who meets the criteria for certification and licensure, and shall have authority to renew, censure, suspend or revoke certifications and licenses;
- (3) To further define by regulation, with respect to each category of **trainee**, state-certified real estate appraiser, and for state-licensed real estate appraisers **and for appraisal management companies**, the type of educational experience, appraisal experience and equivalent experience, **and other criteria** that will meet the statutory requirements of sections 339.500 to 339.549 **or as required by federal law or regulation**; provided that such standards shall be equivalent to the minimum criteria for certification and licensure issued by the appraiser qualifications board of the appraisal foundation and the provisions of section 339.517 **or as required by federal law or regulation**;
- (4) To further define by regulation, with respect to each category of **trainee**, state-certified real estate appraiser, and for state-licensed real estate appraisers, the continuing education requirements for the renewal of certification and licensure that will meet the statutory requirements provided in section 339.530 **or as required by federal law or regulation**;

(5) To adopt standards for the development and communication of real estate appraisals and to adopt regulations explaining and interpreting the standards; provided that such standards shall meet the standards specified by the appraisal standards board of the appraisal foundation **or as required by federal law or regulation;**

(6) To establish an examination for each category of state-certified real estate appraiser, and for state-licensed real estate appraisers, to provide or procure appropriate examination questions and answers, and to establish procedures for grading examinations; provided that such standards for examinations for certification shall meet the minimum criteria specified by the appraiser qualifications board of the appraisal foundation **or as required by federal law or regulation;**

(7) To maintain a registry of the names and addresses of **trainees**, state-certified real estate appraisers [and], state-licensed real estate appraisers, **and appraisal management companies;** [and]

(8) To perform such other functions and duties as may be necessary to carry out the provisions of sections 339.500 to 339.549 **or to comply with the requirements of federal law or regulation; and**

(9) To establish by rule the standards of practice for appraisal management companies.

339.511. 1. There shall be [three] **six** classes of licensure for individuals including:

(1) [State licensed real estate appraiser] **State-licensed appraiser trainee;**

(2) [Certified residential real estate appraiser; and] **State-licensed real estate appraiser;**

(3) [Certified general real estate appraiser] **State-certified residential appraiser trainee;**

(4) State-certified residential real estate appraiser;

(5) State-certified general appraiser trainee; and

(6) State-certified general real estate appraiser.

2. There shall be one class of license for appraisal management companies.

3. Persons desiring to obtain licensure as a **state-licensed appraiser trainee**, state-licensed real estate appraiser [or], **state-certified residential appraiser trainee**, certification as a [certified] **state-certified residential real estate appraiser, state-certified general appraiser trainee**, or [certified] **state-certified** general real estate appraiser shall make written application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure or certification and present to the commission satisfactory proof that the person is of good moral character and bears a good reputation for honesty, integrity and fair dealing.

[3.] **4.** Each applicant for licensure as a **state-licensed appraiser trainee**, state-licensed real estate appraiser, **a state-certified residential appraiser trainee**, a state-certified residential real estate appraiser, **a state-certified general appraiser trainee**, or a state-certified general real estate appraiser shall have demonstrated the knowledge and competence necessary to perform appraisals of residential and other real estate as the commission may prescribe by rule not inconsistent with any requirements imposed by the appraiser qualifications board. The commission shall prescribe by rule procedures for obtaining and maintaining approved courses of instruction. The commission shall, also, prescribe the hours of training in real estate appraisal practices and the minimum level of experience acceptable for licensure or certification.

[4.] **5.** Persons who receive certification after March 30, 1991, or who have a state license or certificate to engage in business as a real estate appraiser issued by the commission, shall receive the same license or certificate from the commission as such persons are currently holding without further education, experience, examination or application fee, but shall be required to meet all continuing education requirements prescribed by the commission.

6. Appraisal management companies desiring to obtain licensure shall:

(1) Make application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure;

(2) Remit the fee or fees as established by rule;

(3) Post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars as further promulgated by rule; and

(4) Submit to the commission satisfactory proof that any controlling person, defined in section 339.503, is of good moral character and bears a good reputation for honesty, integrity, and fair dealing.

339.513. 1. Applications for examination, original certification and licensure, and renewal certification and licensure shall be made in writing to the commission on forms provided by the commission. The application shall specify the classification of certification, or licensure, for which application is being made.

2. Appropriate fees shall accompany all applications for examination, original certification or licensure, and renewal certification or licensure; provided that such fees shall be in amounts set by the commission in order to offset the cost and expense of administering sections 339.500 to 339.549, and in amounts to be determined by the commission with reference to the requirements of Section 1109 of the United States Public Law 101-73, as later codified and as may be amended. All fees collected pursuant to this subsection shall be collected by the commission and deposited with the

state treasurer into a fund to be known as the "Missouri Real Estate Appraisers **and Appraisal Management Company** Fund". The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year. In any proceeding in which a remedy provided by subsection 1 or 2 of section 339.532 is imposed, the commission may also require the respondent licensee to pay the costs of the proceeding if the commission is a prevailing party or in settlement. The moneys shall be placed in the state treasury to the credit of the Missouri real estate appraisers fund.

3. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in sections 339.500 to 339.549 and state that he or she understands the types of misconduct for which disciplinary proceedings may be initiated [against a state-certified real estate appraiser or a state-licensed real estate appraiser].

339.515. 1. An original certification as a state-certified real estate appraiser may be issued to any person who meets the qualification requirements for certification and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state certification examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

2. An original license as a state-licensed real estate appraiser may be issued to any person who meets the qualification requirements for licensure and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state licensure examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

3. If an applicant, **other than an appraisal management company**, is not certified or licensed within two years after passing an examination given pursuant to the provisions of this section, he or she shall be required to retake the examination prior to certification or licensure.

4. An applicant, **other than an appraisal management company**, who has failed an examination taken pursuant to this section may apply for reexamination by submitting an application with the appropriate examination fee within ninety days after the date of having last taken and failed the examination.

339.517. 1. Any person who files with the commission an application for state licensure or certification as a real estate appraiser shall be required to pass an examination to demonstrate his or her competence. The commission shall, also, make such investigation as is required to verify such qualifications. If the results of the investigation are satisfactory to the commission and the applicant is otherwise qualified, then the commission shall issue to the applicant a license or certificate authorizing the applicant to act as a state-licensed real estate appraiser or a state-certified real estate appraiser in Missouri. If the results of the investigation are unsatisfactory, action on the application may be deferred pending a hearing before the real estate appraisal commission.

2. The commission shall promulgate and adopt regulations which prescribe and define the subjects related to real estate appraisal and the experience in real estate appraisal that will satisfy the qualification requirements for licensure or certification. The commission may approve courses of instruction in an accredited college or university relating to the appraisal of real estate and related disciplines including, but not limited to, economics, finance, statistics, principles of capitalization, real estate and such other areas deemed relevant by the commission. The commission may also approve similar courses of instruction offered by recognized professional appraisal organizations and real estate organizations and agencies of the state and federal government, and other qualified providers which may be approved by the commission. The commission may require by rule that some or all of an applicant's qualifying experience in real estate appraising be obtained on appraisals of real estate located in this state.

3. Each applicant for certification or licensure, **except for appraisal management companies**, shall furnish under oath a detailed statement of the real estate appraisal assignments or file memoranda for each year in which real estate appraisal experience is claimed by the applicant. Upon request, the applicant shall furnish to the commission a sample of appraisal reports or file memoranda which the applicant has prepared in the course of his or her appraisal practice.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule

are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

339.525. 1. To obtain a renewal certificate or license, a state certified real estate appraiser or state licensed real estate appraiser shall make application and pay the prescribed fee to the commission not earlier than one hundred twenty days nor later than thirty days prior to the expiration date of the certificate or license then held. With the application for renewal, the state certified real estate appraiser or state licensed real estate appraiser shall present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530.

2. [If the commission determines that a state certified real estate appraiser or state licensed real estate appraiser has failed to meet the requirements for renewal of certification or licensure through mistake, misunderstanding, or circumstances beyond the appraiser's control, the commission may extend the term of the certificate or license for good cause shown for a period not to exceed six months, upon payment of a prescribed fee for the extension.

3.] If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired certification or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the commission, and present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee.

[4.] 3. If a person has failed to renew the person's license within two years of its expiration, the license shall be void.

[5.] 4. The commission is authorized to issue an inactive certificate or license to [any licensee] **a state-certified real estate appraiser or a state-licensed real estate appraiser** who makes written application for such on a form provided by the commission and remits the fee for an inactive certificate or license established by the commission. An inactive certificate or license may be issued only to a person who has previously been issued a certificate or license to practice as a real estate appraiser in this state, who is no longer regularly engaged in such practice, and who does not hold himself or herself out to the public as being professionally engaged in such practice in this state. Each inactive certificate or license shall be subject to all provisions of this chapter, except as otherwise specifically provided. Each inactive certificate or license may be renewed by the commission subject to all provisions of this section and all other provisions of this chapter. An inactive licensee may apply for a certificate or license to regularly engage in the practice of real estate appraising upon filing a written application on a form provided by the commission, submitting the reactivation fee established by the commission and submitting satisfactory proof of current competency as established by the commission.

5. To obtain a renewal license, an appraisal management company shall make application on a form prescribed by the commission and pay the prescribed fee.

6. To obtain a renewal license, a state-licensed appraiser trainee, state-certified residential appraiser trainee, or state-certified general appraiser trainee shall request an extension in writing at least thirty days prior to the expiration date as required by rule.

339.527. 1. [A certificate or license issued pursuant to sections 339.500 to 339.549 shall bear the signature or facsimile signature of the chairman of the commission and a certificate or license number assigned by the commission.

2.] A state-certified real estate appraiser may designate or identify an appraisal report rendered by him or her as a certified appraisal for the type of property included in his or her certification.

[3.] 2. Each state-certified real estate appraiser or state-licensed real estate appraiser shall place the certificate or license number adjacent to or immediately below the designation "Missouri State-certified (Residential/General) Real Estate Appraiser" or "Missouri State-licensed Real Estate Appraiser" when used in an appraisal report or in a contract or other instrument used by the holder of the certificate or license in conducting an appraisal assignment or specialized appraisal services. **A state-licensed real estate appraiser trainee, state-certified residential appraiser trainee, and state-certified general appraiser trainee shall place his or her license number adjacent to or immediately below the title "state-licensed appraiser trainee", "state-certified residential appraiser trainee", or "state-certified general appraiser trainee".**

3. Each appraisal management company shall be required to disclose its license number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.

4. The terms "Missouri State-certified (Residential/General) Real Estate Appraiser" [and], "Missouri State-licensed Real Estate Appraiser", **"Missouri State-licensed Appraiser Trainee", "Missouri State-certified**

Residential Appraiser Trainee", and "Missouri State-certified General Appraiser Trainee" may only be used to refer to individuals who hold a certificate or license and may not be used following or immediately in connection with the name or signature of a firm, partnership, corporation, or group or in such manner that it might be interpreted as referring to certification or licensure of the firm, partnership, corporation, group, or to certification or licensure of anyone other than an individual holder of the certificate or license.

5. **Except for licensed appraisal management companies**, a certificate or license shall be issued pursuant to sections 339.500 to 339.549 only to a natural person. However, nothing in this section shall preclude a state-certified real estate appraiser or state-licensed real estate appraiser from rendering appraisals for or on behalf of a corporation, partnership or association, provided that the appraisal report is prepared by, or under the immediate direction of, a state-certified real estate appraiser or state-licensed real estate appraiser, and further provided that the appraisal report is signed by the state-certified real estate appraiser or state-licensed real estate appraiser.

339.529. 1. Each state-certified real estate appraiser, **state-certified appraiser trainee, state-licensed appraiser trainee**, and state-licensed real estate appraiser shall advise the commission of the address of his or her principal place of residence, business and all other addresses at which he or she is currently engaged in the business of preparing real property appraisal reports.

2. Whenever a state-certified real estate appraiser, **state-certified appraiser trainee, state-licensed appraiser trainee**, or state-licensed real estate appraiser changes the location of his or her place of business, he or she shall amend the certificate or license issued by the commission to reflect the change and shall give written notification of the change to the commission within thirty working days of the change.

3. Whenever a state-certified real estate appraiser or state-licensed real estate appraiser changes the location of his or her residence, he or she shall notify the commission of the new residence address within thirty working days of the change.

4. **Each appraisal management company shall notify the commission within thirty days of a change in its controlling person, agent of record, ownership composition, or address.**

339.532. 1. The commission may refuse to issue or renew any certificate or license issued pursuant to sections 339.500 to 339.549 for one or any combination of causes stated in subsection 2 of this section. The commission shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any state-certified real estate appraiser, state-licensed real estate appraiser, **state-licensed appraiser trainee, state-certified residential appraiser trainee, state-certified general appraiser trainee, state-licensed appraisal management company that is a legal entity other than a natural person, any person who is a controlling person as defined in this chapter**, or any person who has failed to renew or has surrendered his or her certificate or license for any one or any combination of the following causes:

(1) Procuring or attempting to procure a certificate or license pursuant to section 339.513 by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for certification or licensure, or through any form of fraud or misrepresentation;

(2) Failing to meet the minimum qualifications for certification or licensure or renewal established by sections 339.500 to 339.549;

(3) Paying money or other valuable consideration, other than as provided for by section 339.513, to any member or employee of the commission to procure a certificate or license pursuant to sections 339.500 to 339.549;

(4) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 339.500 to 339.549 for any offense of which an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(5) Incompetency, misconduct, gross negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of any profession licensed or regulated by sections 339.500 to 339.549;

(6) Violation of any of the standards for the development or communication of real estate appraisals as provided in or pursuant to sections 339.500 to 339.549;

(7) Failure to comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation;

(8) Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(9) Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal;

(10) Violating, assisting or enabling any person to willfully disregard any of the provisions of sections 339.500 to 339.549 or the regulations of the commission for the administration and enforcement of the provisions of sections 339.500 to 339.549;

(11) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser's reporting a predetermined analysis or opinion or where the fee to be paid for the performance of the appraisal assignment is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment;

(12) Violating the confidential nature of governmental records to which the person gained access through employment or engagement to perform an appraisal assignment or specialized appraisal services for a governmental agency;

(13) Violating any term or condition of a certificate or license issued by the commission pursuant to the authority of sections 339.500 to 339.549;

(14) Violation of any professional trust or confidence;

(15) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(16) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 339.500 to 339.549 who is not licensed or certified and currently eligible to practice pursuant to sections 339.500 to 339.549;

(17) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(18) Disciplinary action against the holder of a license, certificate or other right to practice any profession regulated pursuant to sections 339.500 to 339.549, imposed by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(19) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or certification, or for license or certification renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(20) Engaging in or committing, or assisting any person in engaging in or committing, any practice or act of mortgage fraud, as defined in section 443.930;

(21) Influencing or attempting to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, or bribery.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the commission may, singly or in combination, publicly censure or place the person named in the complaint on probation on such terms and conditions as the commission deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke, the certificate or license. The holder of a certificate or license, **or the legal entity and any controlling person in the case of an appraisal management company**, revoked pursuant to this section may not obtain certification as a state-certified real estate appraiser [or], licensure as a state-licensed real estate appraiser, **or licensure as an appraisal management company** for at least five years after the date of revocation.

4. Notwithstanding other provisions of this section, a real estate appraiser license or certification **or an appraisal management company license** shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant, **or any controlling person in the case of an appraisal management company**, has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of mortgage fraud as defined in section 570.310. The commission shall notify the individual **or legal entity** of the reasons for the revocation in writing, by certified mail.

5. A person, **or the legal entity or controlling person in the case of an appraisal management company**, whose license is revoked under subsection 4 of this section may appeal such revocation to the administrative hearing commission, as provided by chapter 621, within ninety days from the time the commission mails the notice of revocation. A person who fails to do so waives all rights to appeal the revocation.

6. A certification of a state-certified real estate appraiser [or], a license of a state-licensed real estate appraiser, **or a license of an appraisal management company** that has been suspended as a result of disciplinary action by the commission shall not be reinstated, and a person, **controlling person, or legal entity** may not obtain certification as a state-certified real estate appraiser [or], licensure as a state-licensed real estate appraiser, **or licensure as an appraisal management company** subsequent to revocation, unless the applicant presents evidence of completion of the continuing education required by section 339.530 during the period of suspension or revocation as well as fulfillment of any other

conditions imposed by the commission. Applicants for recertification, relicensure or reinstatement also shall be required to successfully complete the examination for original certification or licensure required by section 339.515 as a condition to reinstatement of certification or licensure, or recertification or relicensure subsequent to revocation.

339.533. 1. The chairperson of the commission may administer oaths, issue subpoenas, and issue subpoenas duces tecum requiring the production of documents and records. Subpoenas and subpoenas duces tecum shall be served by a person authorized to serve subpoenas of courts of record. In lieu of requiring attendance of a person, **controlling person, or other legal entity** to produce original documents in response to a subpoena duces tecum, the commission may require sworn copies of such documents to be filed with it or delivered to its designated representative.

2. The commission may enforce its subpoenas and subpoenas duces tecum by applying to the circuit court of Cole County; the county of the investigation, hearing, or proceeding; or any county where the person, **controlling person, or other legal entity** subpoenaed resides or may be found for an order to show cause why such subpoena should not be enforced, such order and a copy of the application therefor to be served upon the person in the same manner as a summons in a civil action, and if the circuit court shall, after a hearing, determine that the subpoena should be sustained and enforced, such court shall proceed to enforce the subpoena in the same manner as though the subpoena had been issued in a civil case in the circuit court.

339.535. [State certified] **State-certified** real estate appraisers [and state licensed], **state-licensed** real estate appraisers, **state-licensed appraiser trainees, and state-certified appraiser trainees** shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation.

339.537. 1. State-certified real estate appraisers and state licensed real estate appraisers shall retain originals or true copies of contracts engaging an appraiser's services for appraisal assignments, specialized appraisal services, appraisal reports, and supporting data assembled and formulated in preparing appraisal reports, for five years. The period for retention of the records applicable to each engagement of the services of the state-certified real estate appraiser or state-licensed real estate appraiser shall run from the date of the submission of the appraisal report to the client. Upon requests by the commission, these records shall be made available by the state-certified real estate appraiser or state-licensed real estate appraiser for inspection and copying at his or her expense, by the commission on reasonable notice to the state-certified real estate appraiser or state-licensed real estate appraiser. When litigation is contemplated at any time, reports and records shall be retained for two years after the final disposition.

2. All appraisal management company records shall be retained by the appraisal management company for five years. Upon request by the commission, such records shall promptly be made available to the commission for inspection and copying at the expense of the appraisal management company.

339.541. 1. It shall be a class B misdemeanor for any person to practice any deception or fraud with respect to his **or her** identity in connection with an application for certification or licensure or in the taking of an examination for certification as a state certified real estate appraiser or licensure as a state licensed real estate appraiser or by holding himself **or herself** out to any member of the public or representing himself **or herself** as a state certified real estate appraiser or a state licensed real estate appraiser when, in fact, he **or she** is not so.

2. It shall be a class B misdemeanor for any corporation, business, or controlling person to practice any deception or fraud in its identity in connection with an application or holding out to any member of the public or representation as a licensed appraisal management company when in fact it is not so.

339.543. 1. If the commission believes that an appraiser, **business, corporation, or controlling person** has engaged in, is engaging in, or has willfully taken a substantial step toward engaging in an act, practice, omission, or course of business constituting mortgage fraud, as defined in section 443.930, or that a person, **business, corporation, or controlling person** has materially aided or is materially aiding any such act, practice, omission, or course of business, the commission may maintain an action in the circuit court of any county of the state or any city not within a county to enjoin the person, **business, corporation, or controlling person**. Upon a proper showing, the court may issue a permanent or temporary injunction, restraining order, or declaratory judgment.

2. The court may impose a civil penalty against the person, **business, corporation, or controlling person** not to exceed two thousand five hundred dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances including, but not limited to, a temporary suspension of any license issued by the commission.

3. The commission may initiate an investigation and take all measures necessary to find the facts of any potential violation of this section, including issuing subpoenas to compel the attendance and testimony of witnesses and

the production of documents and other evidence. The commission may conduct joint investigations, enter into confidentiality agreements, and share information obtained relating to an investigation under this section with other governmental agencies.

4. The enforcement authority of the commission under this section is cumulative to any other statutory authority of the commission.

339.545. 1. The commission shall take such action as is necessary to be able to issue general certificates, residential certificates and licenses to qualified persons.

2. The commission shall take action as is necessary to be able to issue licenses to qualified applicants seeking licensure as an appraisal management company.

339.549. 1. It is unlawful for any person, **business, corporation, or controlling person** not certified or licensed pursuant to sections 339.500 to 339.549 to perform any act for which certification or licensure is required. Upon application by the commission, and the necessary burden having been met, a court may grant an injunction, restraining order or other order as may be appropriate to enjoin a person, **business, corporation, or controlling person** from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a certificate or license is required by sections 339.500 to 339.549 upon a showing that such acts or practices were performed or offered to be performed without a certificate or license; or

(2) Engaging in any practice or business authorized by a certificate or license issued pursuant to sections 339.500 to 339.549 upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client of the certificate holder or licensee.

2. Any such action shall be commenced in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any actions brought pursuant to this section shall be in addition to and not in lieu of any penalty provided by sections 339.500 to 339.549 and may be brought concurrently with other actions to enforce the provisions of this chapter.”; and

Further amend said bill, Page 7, Section 362.333, Line 13, by inserting after all of said section and line, the following:

“[339.1100. Sections 339.1100 to 339.1240 shall be known and may be cited as the "Missouri Appraisal Management Company Registration and Regulation Act".]

[339.1105. As used in sections 339.1100 to 339.1240, unless the context otherwise requires, the following terms shall mean:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produce appraisals;

(3) "Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;

(4) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals;

(e) Conduct quality control of a completed appraisal prior to the delivery of the appraisal to the person that ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser to one or more persons who have ordered an appraisal;

(5) "Appraisal review", the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal assignment, except that an examination of an appraisal for grammatical, typographical, or other similar errors shall not be an appraisal review;

(6) "Appraiser", an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter;

(7) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons that have ordered appraisals through the appraisal management company or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company that has ordered an appraisal through the appraisal management company or to perform appraisals for the appraisal management company directly;

(8) "Commission", the Missouri real estate appraisers commission created in section 339.507;

(9) "Controlling person":

(a) An owner, officer or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

(10) "State certified real estate appraiser", a person who develops and communicates real estate appraisals and who holds a current valid certificate issued to the person for either general or residential real estate under this chapter;

(11) "State licensed real estate appraiser", a person who holds a current valid real estate appraiser license issued under this chapter.]

[339.1110. 1. No person shall directly or indirectly engage or attempt to engage in business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.1100 to 339.1240.

2. The registration required by subsection 1 of this section shall, at a minimum, include the following:

(1) Name of the entity seeking registration;

(2) Business address of the entity seeking registration, which shall be located and maintained within this state;

(3) Phone contact information of the entity seeking registration;

(4) If the entity is not a corporation that is domiciled in this state, the name and contact information for the company's agent for service of process in this state;

(5) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns ten percent or more of the appraisal management company;

(6) The name, address, and contact information for a designated controlling person to be the primary communication source for the commission;

(7) A certification that the entity has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company for appraisal services to be performed in Missouri holds a license in good standing in Missouri, if a license or certification is required to perform appraisals under section 339.1180;

(8) A certification that the entity has a system in place to review the work of all appraisers who are performing real estate appraisal services for the appraisal management company on a periodic basis to validate that the real estate appraisal services are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP) under section 339.1185;

(9) A certification that the entity maintains a detailed record of each service request that it receives for appraisal services within the state of Missouri and the appraiser who performs the real estate appraisal services for the appraisal management company under section 339.1190;

(10) An irrevocable uniform consent to service of process under section 339.1130; and

(11) Any other reasonable information required by the commission to complete the registration process.]

[339.1115. Sections 339.1100 to 339.1240 shall not apply to:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the department of insurance, financial institutions or professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution. An entity exempt as provided in this subdivision shall file a notice with the commission containing the information required in section 339.1110;

(3) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(4) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(5) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.]

[339.1120. An applicant for a registration as an appraisal management company shall submit to the commission an application containing the information required in subsection 2 of section 339.1110 on a form prescribed by the commission.]

[339.1125. Registration shall be valid for two years from its issuance.]

[339.1130. Each entity applying for a registration as an appraisal management company in Missouri shall complete an irrevocable uniform consent to service of process, as prescribed by the commission.]

[339.1135. 1. The commission shall establish by rule the fee to be paid by each appraisal management company seeking registration under sections 339.1100 to 339.1240, such that the sum of the fees paid by all appraisal management companies seeking registration under this section shall be sufficient for the administration of sections 339.1100 to 339.1240. The commission shall charge and collect fees to be utilized to fund activities that may be necessary to carry out the provisions of this chapter.

2. Each applicant for registration shall post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars. The details of the bond shall be prescribed by rule of the commission, however, the bond shall not be used to assist appraisers in collection efforts of credit extended by the appraiser.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 339.1100 to 339.1240 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 339.1100 to 339.1240 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove

and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.]

[339.1140. 1. An appraisal management company applying for a registration in Missouri shall not be more than ten percent owned by:

(1) A person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) An entity that is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state.

2. Each person who owns more than ten percent of an appraisal management company in this state shall:

(1) Be of good moral character, as determined by the commission; and

(2) Submit to a background investigation, as determined by the commission.

3. Each appraisal management company applying for registration shall certify to the commission that it has reviewed each entity that owns more than ten percent of the appraisal management company and that no entity that owns more than ten percent of the appraisal management company is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling principal, agent of record, or ownership composition.]

[339.1145. 1. Each appraisal management company applying to the commission for a registration in this state shall designate one compliance manager who will be the main contact for all communication between the commission and the appraisal management company.

2. The designated controlling person under subsection 1 of this section shall:

(1) Have never had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) Be of good moral character, as determined by the commission; and

(3) Submit to a background investigation, as determined by the commission.]

[339.1150. An appraisal management company that applies to the commission for registration to do business in this state as an appraisal management company under subdivision (1) of section 339.1115 shall not:

(1) Employ any person directly involved in appraisal management services who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(2) Knowingly enter into any independent contractor arrangement, whether in verbal, written, or other form, with any person who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(3) Knowingly enter into any contract, agreement, or other business relationship directly involved with the performance of real estate appraisal or appraisal management services, whether in verbal, written, or any other form, with any entity that employs, has entered into an independent contract arrangement, or has entered into any contract, agreement, or other business relationship, whether in verbal, written, or any other form, with any person who has ever had a license or certificate to act as an appraiser in Missouri or in any other state, refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.]

[339.1155. Prior to placing an assignment for real estate appraisal services within the state of Missouri with an appraiser on the appraiser panel of an appraisal management company, the appraisal management company shall have a system in place to verify that the appraiser receiving the assignment holds a credential in good standing in the state of Missouri. Letters of engagement shall include instructions to the appraiser to decline the assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.]

[339.1160. Any employee or independent contractor of the appraisal management company who performs an appraisal review shall be an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter. Letters of engagement shall include instructions to the appraiser to decline the appraisal review assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.]

[339.1170. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system and process in place to verify that an individual being added to the appraiser panel of the appraisal management company holds a license in good standing in this state under this chapter.]

[339.1175. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system in place to verify that an individual to whom the appraisal management company is making an assignment for the completion of an appraisal has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation on a regular basis.]

[339.1180. Each registered appraisal management company shall certify to the commission on a biannual basis that it has a system in place to perform an appraisal review on a periodic basis of the work of all appraisers who are performing appraisals for the appraisal management company to validate that the appraisals are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP). An appraisal management company shall report to the commission the results of any appraisal reviews in which an appraisal is found to be substantially noncompliant with USPAP or state or federal laws pertaining to appraisals.]

[339.1185. 1. Each appraisal management company seeking to be registered shall certify to the commission biannually that it maintains a detailed record of each service request for appraisal services within the state of Missouri and that it receives of each appraiser who performs an appraisal for the appraisal management company in the state of Missouri.

2. All appraisal management company records shall be retained for five years.]

[339.1190. 1. An appraisal management company shall not prohibit its appraiser who is part of an appraiser panel from recording the fee that the appraiser was paid by the appraisal management company for the performance of the appraisal within the appraisal report that is submitted by the appraiser to the appraisal management company.

2. An appraisal management company shall separately state to the client the fees paid to an appraiser for appraisal services and the fees charged by the appraisal management company for services associated with the management of the appraisal process, including procurement of the appraiser's services.]

[339.1200. 1. No employee, director, officer, or agent of an appraisal management company shall influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner, including but not limited to:

(1) Withholding or threatening to withhold timely payment for an appraisal, except in cases of substandard performance or noncompliance with conditions of engagement;

(2) Withholding or threatening to withhold future business, or demoting, terminating, or threatening to demote or terminate an appraiser;

(3) Expressly or impliedly promising future business, promotions, or increased compensation for an appraiser;

(4) Conditioning the request for an appraisal or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;

(5) Requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;

(6) Providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided;

(7) Providing to an appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits;

(8) Allowing the removal of an appraiser from an appraiser panel without prior written notice to such appraiser;

(9) Any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, objectivity, or impartiality;

(10) Requiring an appraiser to collect an appraisal fee on behalf of the appraisal management company from the borrower, homeowner, or other third party; or

(11) Requiring an appraiser to indemnify an appraisal management company or hold an appraisal management company harmless for any liability, damage, losses, or claims arising out of the services performed by the appraisal management company, and not the services performed by the appraiser.

2. Nothing in subsection 1 of this section shall prohibit the appraisal management company from requesting that an appraiser:

(1) Provide additional information about the basis for a valuation; or

(2) Correct objective factual errors in an appraisal report; or

(3) Provide additional information with the appraisal regarding additional sales provided through an established dispute process.]

[339.1205. An appraisal management company shall not:

(1) Require an appraiser to modify any aspect of an appraisal report unless the modification complies with section 339.1200;

(2) Require an appraiser to prepare an appraisal report if the appraiser, in the appraiser's own professional judgment, believes the appraiser does not have the necessary expertise for the assignment or for the specific geographic area, and has notified the appraisal management company and declined the assignment;

(3) Require an appraiser to prepare an appraisal under a time frame that the appraiser, in the appraiser's own professional judgment, believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations, and has notified the appraisal management company and declined the assignment;

(4) Prohibit or inhibit legal or other allowable communication between the appraiser and:

(a) The lender;

(b) A real estate licensee; or

(c) Any other person from whom the appraiser, in the appraiser's own professional judgment, believes information would be relevant;

(5) Knowingly require the appraiser to do anything that does not comply with:

(a) Uniformed Standards of Professional Appraisal Practice (USPAP);

(b) The Missouri certified and licensed real estate appraisers act established under this chapter; or

(c) Any assignment conditions and certifications required by the client;

(6) Make any portion of the appraiser's fee or the appraisal management company's fee contingent on a predetermined or favorable outcome, including but not limited to:

(a) A loan closing; or

(b) Specific dollar amount being achieved by the appraiser in the appraisal report.]

[339.1210. Each appraisal management company shall, except in cases of breach of contract or substandard performance of services, make payment to an appraiser for the completion of an appraisal or valuation assignment within thirty days, unless a mutually agreed upon alternate payment schedule exists, from when the appraiser transmits or otherwise provides the completed appraisal or valuation study to the appraisal management company or its assignee.]

[339.1215. 1. An appraisal management company shall not alter, modify, or otherwise change a completed appraisal report submitted by an appraiser by:

- (1) Permanently removing the appraiser's signature or seal; or
- (2) Adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion.

2. No registered appraisal management company shall require an appraiser to provide the appraisal management company with the appraiser's digital signature or seal.]

[339.1220. 1. The commission shall issue a unique registration number to each appraisal management company.

2. The commission shall publish a list of the appraisal management companies that have registered under sections 339.1100 to 339.1240 and have been issued a registration number.

3. An appraisal management company shall be required to disclose the registration number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.]

[339.1230. 1. Except within the first thirty days after an appraiser is first added to the appraiser panel of an appraisal management company, an appraisal management company shall not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an appraiser without:

(1) Notifying the appraiser in writing of the reasons why the appraiser is being removed from the appraiser panel of the appraisal management company;

(2) If the appraiser is being removed from the panel for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, describing the nature of the alleged conduct or violation; and

(3) Providing an opportunity for the appraiser to respond to the notification of the appraisal management company.

2. An appraiser who is removed from the appraiser panel of an appraisal management company for alleged illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or violation of state licensing standards may file a complaint with the commission for a review of the decision of the appraisal management company; except that, in no case shall the commission make any determination regarding the nature of the business relationship between the appraiser and the appraisal management company which is unrelated to the actions specified in subsection 1 of this section.

3. If after notice and an opportunity for hearing and review, the commission determines that an appraiser did not commit a violation of law, a violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, the commission shall order that such appraiser be added to the appraiser panel of the appraisal management company.

4. If the commission has found that the appraisal management company acted improperly in removing the appraiser from the appraiser panel, an appraisal management company shall not refuse to make assignments for real estate appraisal services to an appraiser, or reduce the number of assignments, or otherwise penalize the appraiser.]

[339.1235. The commission may censure an appraisal management company, conditionally or unconditionally suspend or revoke any registration issued under sections 339.1100 to 339.1240, or impose civil penalties not to exceed one thousand dollars for each offense. Each day of a continued violation constitutes a separate offense, with a maximum penalty of ten thousand dollars. In determining the amount of penalty to be imposed, the commission may consider if an appraisal management company is:

- (1) Knowingly committing any act in violation of sections 339.1100 to 339.1240;
- (2) Violating any rule adopted by the commission; or
- (3) Procuring a license by fraud, misrepresentation, or deceit.]

[339.1240. The conduct of adjudicatory proceedings for violations of this section is vested in the commission, provided:

(1) Before censuring any registrant, or suspending or revoking any registration, the commission shall notify the registrant in writing of any charges made at least twenty days before the hearing and shall afford the registrant an opportunity to be heard in person or by counsel; and

(2) Written notice shall be satisfied by personal service on the controlling person of the registrant, or the registrant's agent for service of process in this state, or by sending the notice by certified mail, return receipt requested to the controlling person of the registrant to the registrant's address on file with the commission.]"'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brandom, **House Amendment No. 2** was adopted.

Representative Leara offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said line the following:

“50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary**, a death benefit of ten thousand dollars **and, in the case of an active member who dies after December 31, 2002, and before becoming vested, an amount equal to the amount of the member's accumulated contributions standing to his or her credit in the fund** shall be paid to the designated beneficiary of every active member upon his or her death or, if the member fails to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then in equal shares to the member's surviving children. If there is neither a surviving spouse or surviving children, then the benefit shall be paid to the active member's estate.

2. If the member executes a beneficiary designation form and lists more than one beneficiary but fails to list the percentage of benefit that each beneficiary should receive, then the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years of creditable service shall forfeit all rights in the fund, including the member's accrued creditable service as of the date of the member's termination of employment, but may receive any refund of contributions to which the member is entitled pursuant to subsection 3 of this section **or subsection 1 of section 50.1130**.

2. A member who terminates employment with at least eight years of creditable service shall be entitled to an annuity from the fund, determined in accordance with the formula described in section 50.1060. The member may elect to defer the receipt of his or her annuity, until the member's attainment of age sixty-two, or the member may elect to begin receiving his or her annuity on the first day of any month following the later of the date of termination of employment or age fifty-five. If the member begins receiving an annuity before age sixty-two and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by four-tenths of one percent for each month the commencement date of the annuity precedes age sixty-two, and an additional three-tenths of one percent for each month the commencement date of the annuity precedes age sixty.

3. In the event a member ceases to be a member other than by death before the date the member becomes vested in the system, the member shall be paid, upon his or her written application filed with the board, the member's accumulated contributions standing to his or her credit in the members' deposit fund.

4. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee, completing a total of eight years of uninterrupted creditable service, and purchasing the forfeited service by paying into the fund the forfeited amount previously refunded to the participant or credited to the participant's county plus interest equal to the current prime rate plus two percent.

104.603. 1. Effective with transfers of service between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system that occur on or after September 1, 2011, upon a reciprocal transfer of creditable or credited service pursuant to section 104.602 or subsection 8 of section 104.1021, the sending system from which the service is transferred shall pay the receiving system to which the service is transferred the present value of the accrued benefit as determined pursuant to subsection 2 of this section.

2. For purposes of this section, the present value of the accrued benefit shall be determined using the actuarial assumptions of the sending system used in that system's last regular valuation assuming active member status and using the unit credit actuarial cost method. However, in no event shall the payment amount be less than the sum of the member's accumulated contributions and interest plus any purchased service payments from the member held on deposit by the sending system. If the member had received a refund of accumulated contributions from the sending system and forfeited service credit with that system, the member would need to reestablish that service with the sending system by again becoming an active member of a system covered by this chapter and satisfying requirements otherwise stipulated for reestablishing service credit. **However, in the event the member had previously transferred service from the receiving system to the sending system which was not subject to an asset transfer under this section, then that service will be excluded from the computation of the accrued benefit. In the event any prior payments by a sending system under this section included an amount for previously transferred service that was not subject to this section, the receiving system shall return to the sending system the present value amount attributable to such service, including interest as determined and agreed to by both systems.**

3. The service transfer shall not be deemed completed until the sending system makes payment to the receiving system as prescribed in this section. Payments shall be made within ninety days of the date that a completed transfer request is submitted by a member.

4. When the transfer payment includes an amount identified as corresponding to a member's accumulated contributions, the accumulated contributions portion shall be identified, and further, the accumulated contributions balance as of the preceding July first shall be identified and the receiving system shall be responsible for crediting interest according to the terms of the receiving plan.

5. The systems shall coordinate their plan administration for reciprocal transfers to give full effect to the transfer including the transfer and acceptance of corresponding division of benefit orders.

6. The member or survivor obtaining a reciprocal transfer of service covered by this section shall satisfy all requirements under section 104.602 or subsection 8 of section 104.1021 to obtain a transfer of credited or creditable service and shall satisfy the requirements under section 104.1091 with the receiving system to reestablish forfeited service previously accrued at either system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 3** was adopted.

Representative Fitzwater offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

“163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United States district court for the eastern district of Missouri in December 2012 in the case of *United States of America and State of Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company," and the Buick Resource Recycling Facility, LLC*, because of environmental violations shall not be included in any district's "local effort" figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 4** was adopted.

Representative Smith (150) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said line the following:

“Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations’ activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered House Amendment No. 1 to House Amendment No. 5.

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 1, Line 1, by inserting after all of said line the following:

‘Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

“178.530. 1. The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational Education Act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for

approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education; however, such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.”; and

Further amend said bill,’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Smith (150), **House Amendment No. 5, as amended**, was adopted.

Representative Cox offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said section and line the following:

“400.9-311. (a) Except as otherwise provided in subsection (d), the filing of a financing statement is not necessary or effective to perfect a security interest in property subject to:

(1) A statute, regulation, or treaty of the United States whose requirements for a security interest's obtaining priority over the rights of a lien creditor with respect to the property preempt section 400.9-310(a);

(2) Sections 301.600 to 301.661, section 700.350, and section 400.2A-304; or

(3) A certificate-of-title statute of another jurisdiction which provides for a security interest to be indicated on the certificate as a condition or result of the security interest's obtaining priority over the rights of a lien creditor with respect to the property.

(b) Compliance with the requirements of a statute, regulation, or treaty described in subsection (a) for obtaining priority over the rights of a lien creditor is equivalent to the filing of a financing statement under this article. Except as otherwise provided in subsection (d) and sections 400.9-313 and 400.9-316(d) and (e) for goods covered by a certificate of title, a security interest in property subject to a statute, regulation, or treaty described in subsection (a) may be perfected only by compliance with those requirements, and a security interest so perfected remains perfected notwithstanding a change in the use or transfer of possession of the collateral.

(c) Except as otherwise provided in subsection (d) and section 400.9-316(d) and (e), duration and renewal of perfection of a security interest perfected by compliance with the requirements prescribed by a statute, regulation, or treaty described in subsection (a) are governed by the statute, regulation, or treaty. In other respects, the security interest is subject to this article.

(d) During any period in which collateral is inventory held for sale or lease by a person or leased by that person as lessor and that person is in the business of selling [or leasing] goods of that kind, this section does not apply to a security interest in that collateral created by that person [as debtor].”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 6** was adopted.

Representative Wells offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 6, Section 228.374, Line 4, by inserting after all of said line the following:

“301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Zerr	

NOES: 051

Anders	Aull	Black	Carlson	Carter
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford

Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Atkins	Brown 50	Colona	Flanigan
Grisamore	Hughes	Jones 117	Klippenstein	Phillips
Pollock	Schatz	Schieffer	Stream	Webber
Weter	Wyatt	Mr Speaker		

On motion of Representative Wells, **House Amendment No. 7** was adopted.

Representative Cauthorn offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

“34.070. In making purchases, the commissioner of administration or any agent of the state with purchasing power shall give preference to all commodities and tangible personal property manufactured, mined, produced, processed, or grown within the state of Missouri, to all new generation processing entities defined in section 348.432, except new generation processing entities that own or operate a renewable fuel production facility or that produce renewable fuel, and to all firms, corporations or individuals doing business as Missouri firms, corporations or individuals, when quality is equal or better and delivered price is the same or less. The commissioner of administration or any agent of the state with purchasing power may also give such preference whenever competing bids, in their entirety, are comparable. For purposes of this section, "commodities" shall include **forest products and bricks** or any agricultural product that has been processed or otherwise had value added to it in this state.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 8** was adopted.

Representative Wells offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said line the following:

“408.052. 1. No lender shall charge, require or receive, on any residential real estate loan, any points or other fees of any nature whatsoever, excepting insurance, including insurance for involuntary unemployment coverage, and a one-percent origination fee, whether from the buyer or the seller or any other person, except that the lender may charge bona fide expenses paid by the lender to any other person or entity except to an officer, employee, or director of the lender or to any business in which any officer, employee or director of the lender owns any substantial interest for services actually performed in connection with a loan. In addition to the foregoing, if the loan is for the construction, repair, or improvement of residential real estate, the lender may charge a fee not to exceed one percent of the loan amount for inspection and disbursement of the proceeds of the loan to third parties. Notwithstanding the foregoing, the parties may contract for a default charge for any installment not paid in full within fifteen days of its scheduled due date. The restrictions of this section shall not apply:

(1) To any loan which is insured or covered by guarantee made by any department, board, bureau, commission, agency or establishment of the United States, pursuant to the authority of any act of Congress heretofore or hereafter adopted; and

(2) To any loan for which an offer or commitment or agreement to purchase has been received from and which is made with the intention of reselling such loan to the Federal Housing Administration, Farmers Home Administration, Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, or to any successor to the above-mentioned organizations, to any other state or federal governmental or quasi-governmental organization; [and]

(3) **To any mortgage broker making loans on manufactured or modular homes; and**

(4) Provided that the 1994 reenactment of this section shall not be construed to be action taken in accordance with Public Law 96-221, Section 501(b)(4). Any points or fees received in excess of those permitted under this section shall be returned to the person from whom received upon demand.

2. Notwithstanding the language in subsection 1 of this section, a lender may pay to an officer, employee or director of the lender, or to any business in which such person has an interest, bona fide fees for services actually and necessarily performed in good faith in connection with a residential real estate loan, provided:

(1) Such services are individually listed by amount and payee on the loan-closing documents; and

(2) Such lender may use the preemption of Public Law 96-221, Section 501 with respect to the residential real estate loan in question. When fees charged need not be disclosed in the annual percentage rate required by Title 15, U.S.C. Sections 1601, et seq., and regulations thereunder because such fees are de minimis amounts or for other reasons, such fees need not be included in the annual percentage rate for state examination purposes.

3. The lender may charge and collect bona fide fees for services actually and necessarily performed in good faith in connection with a residential real estate loan as provided in subsection 2 of this section; however, the lender's board of directors shall determine whether such bona fide fees shall be paid to the lender or businesses related to the lender in subsection 2 of this section, but may allow current contractual relationships to continue for up to two years.

4. If any points or fees are charged, required or received, which are in excess of those permitted by this section, or which are not returned upon demand when required by this section, then the person paying the same points or fees or his or her legal representative may recover twice the amount paid together with costs of the suit and reasonable attorney's fees, provided that the action is brought within five years of such payment.

5. Any lender who knowingly violates the provisions of this section is guilty of a class B misdemeanor.

443.812. 1. Only one license shall be issued to each person conducting the activities of a residential mortgage **loan** broker. A residential mortgage broker shall register with the director each office, place of business or location in Missouri where the residential mortgage loan broker conducts any part of the residential mortgage loan broker's business pursuant to section 443.839.

2. Residential mortgage loan brokers may only solicit, broker, fund, originate, serve and purchase residential mortgage loans in conformance with sections 443.701 to 443.893 and such rules as may be promulgated by the director.

3. No residential mortgage loan broker shall permit an unlicensed individual to engage in the activities of a mortgage loan originator and no residential mortgage loan broker shall permit a mortgage loan originator to engage in the activities of a mortgage loan originator under the supervision of the residential mortgage loan broker until that mortgage loan originator is shown to be employed by the residential mortgage loan broker as provided in this section.

4. Each residential mortgage loan broker shall report and file a listing with the director showing each mortgage loan originator licensed in Missouri and employed under the supervision of the residential mortgage loan broker. The listing shall show the name and unique identifier of each mortgage loan originator. The listing shall be updated with changes and filed no later than the next business day. The director may authorize a system of reporting that shows mortgage loan originators employed by Missouri residential mortgage loan brokers via the NMLSR in substitution for the report and filing requirement under this subsection.

5. The director may grant waivers of residential mortgage loan broker licensing requirements for persons engaged primarily in servicing residential mortgage loans where such waiver shall benefit borrowers including in particular the requirement to maintain a full-service office in Missouri.

6. (1) The provisions of this subsection shall only apply to any mortgage loan broker making loans on manufactured or modular homes.

(2) No residential mortgage loan broker licensed in this state shall be required to maintain a full-service office in Missouri; except that, nothing in this subsection shall be construed as relieving such broker of the requirements to be licensed in this state and obtain a certificate of authority from the secretary of state's office to transact business in this state.

(3) Any residential mortgage loan broker licensed in this state who does not maintain a full-service office in Missouri shall file with the license application an irrevocable consent in a form to be determined by the director, duly acknowledged, which provides that for any suits and actions commenced against the broker in the courts of this state and, if necessary for any actions brought against the broker, the venue shall lie in Missouri.

(4) The director may assess the reasonable costs of any investigation incurred by the division which are outside the normal expense of any annual or special examination or any other costs incurred by the division as a result of a licensed residential mortgage loan broker not maintaining a full-service office in Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Neth offered **House Amendment No. 1 to House Amendment No. 9.**

House Amendment No. 1
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 4, Lines 3-23, Subsection 6, by deleting all of said subsection and lines from the amendment and inserting in lieu thereof the following:

“6. (1) Notwithstanding any other laws to the contrary, no residential mortgage loan broker licensed in this state shall be required to maintain a full-service office in Missouri; except that, nothing in this subsection shall be construed as relieving such broker of the requirements to be licensed in this state and obtain a certificate of authority from the secretary of state's office to transact business in this state.

(2) Any residential mortgage loan broker licensed in this state who does not maintain a full-service office in Missouri shall file with the license application an irrevocable consent, in a form to be determined by the director and duly acknowledged, which provides that for any suits and actions commenced against the broker in the courts of this state and, if necessary for any other actions brought against the broker, the venue shall lie in Missouri.

(3) The director may assess the reasonable costs of any investigation incurred by the division which are outside the normal expense of any annual or special examination or any other costs incurred by the division as a result of a licensed residential mortgage loan broker not maintaining a full-service office in Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt

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Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 048

Anders	Aull	Black	Carlson	Carter
Casey	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Atkins	Brattin	Brown 50	Colona
Conway 27	Curtman	Diehl	Fisher	Flanigan
Jones 117	Lampe	McDonald	Nasheed	Pollock
Sater	Schatz	Schieffer	Webber	Wyatt

Representative Neth moved that **House Amendment No. 1 to House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schneider

Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 048

Anders	Aull	Black	Carter	Casey
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Taylor	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 019

Atkins	Brown 50	Brown 85	Carlson	Colona
Curtman	Diehl	Fisher	Flanigan	Korman
Nasheed	Sater	Schatz	Schieffer	Talboy
Walton Gray	Webber	Wyatt	Mr Speaker	

Representative Wells moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Ruzicka offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said section and line the following:

“Section 1. 1. There is hereby created in the state treasury the “Law Enforcement Data Sharing Equalization Fund”, which shall consist of money collected under section 2. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the law enforcement data sharing equalization fund system.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Section 2. A surcharge in criminal cases for law enforcement services which are disposed of by a traffic or central violations bureau established pursuant to law or supreme court rule shall be charged in an amount which shall equal the charge by sheriffs, county marshals, or other officers for their services rendered in criminal cases for infractions and the surcharge shall be distributed as follows:

(1) One-half of the surcharge collected shall be forwarded and deposited to the credit of the law enforcement data sharing equalization fund established in section 1 for the operational cost of the law enforcement data sharing equalization fund system; and

(2) One-half of the surcharge collected shall be deposited to the credit of the inmate security fund of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, the funds shall be deposited in the law enforcement data sharing equalization fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 10** was adopted.

Representative Schneider offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

“94.110. The council shall have power and authority to levy and collect a license tax on wholesale houses, auctioneers, architects, druggists, grocers, banks, brokers, wholesale merchants, merchants of all kinds, confectioners, delivery trucks, ice trucks, transfer trucks, laundry wagons, milk wagons, merchant delivery companies, cigar and tobacco stands, hay scales, wood dealers, coal dealers, lumber dealers, real estate agents, loan companies, abstracters, abstract agencies, loan agents, collection agencies, undertakers, public buildings, office buildings, public halls, public grounds, concerts, photographers in office or upon the streets, canvassers, artists, drummers, patent right dealers, automobile agents and dealers, automobile accessory dealers, insurance companies, insurance agents, taverns, hotels, rooming houses, boardinghouses, health schools, telephone companies, street contractors, paper hanger contractors, painting contractors, plastering contractors, and all subcontractors, flour mills, express company agencies, wagons, buggies, carriages, tinnerns, barbers, barbershops, hair dressers, hair dressing shops, whether conducted in connection with other business or separate beauty parlors, tailors, florists, nursery stock agents, book binders, monument dealers and agencies, manufacturing agents, shoe cobbler shops, storage warehouses, shoe shining parlors, newspaper offices, job printing plants, ready-to-wear clothing agencies, tailor-made clothing agencies, sewing machine agents, piano and organ dealers and agents, foreign coffee and tea dealers and agents, and all other vocations whatsoever, and fix the rate of carriage of persons and wagonage, drayage and cartage of property; and to levy and collect a license tax and regulate hawkers, peddlers, pawnbrokers, restaurants, butchers, wholesale butchers, bathhouses and masseurs, lunch stands, lunch counters, lunch wagons, soft drink and ice cream stand and vendors, ice cream parlors, peanut and popcorn stands, and stands of every kind, hucksters, opera houses, moving picture shows, private parks, public lectures, public meetings, baseball parks, outdoor advertising, horse and cattle dealers, stockyards, wagon yards, auto yards, oil stations, wholesale and retail, inspectors, gaugers, mercantile agents, manufacturing and other corporations, or institutions, machine shops, blacksmith shops, foundries, sewer contractors, building contractors, stone contractors, plumbing contractors, brick contractors, cement contractors, sidewalk contractors, bridge contractors, and all subcontractors, street railroad cars, light, power and water companies, gas companies, laundries, laundry agencies, ice plants and ice plant agencies, ice dealers, omnibuses, automobiles, automobile trailers, tractors, carts, drays, milk wagons, laundry wagons, delivery wagons, transfer and job wagons, ice wagons, and all other vehicles, traveling and auction stores, plumbers, pressing establishments, installment houses and agencies, produce and poultry dealers, feather renovators, bakers and bakeries, bakery delivery wagons, and delivery autos, bottling works, dye works, cleaning establishments, sand plants, steam fitters, corn doctors, chiropodists, hackmen, taxicabs, buses, draymen, omnibus drivers, porters, **residential and commercial alarm and security entities**, ferries, and to regulate the same, and the landing thereof, within the limits of the city, and all others pursuing like occupations; and to levy and collect a license tax, regulate, restrain, prohibit and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance halls, fortune tellers, pistol galleries, shooting galleries, palmists, private venereal hospitals, museums, menageries, equestrian performances, fluoroscopic views, picture shows, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, bowling alleys, billiard tables, pool and other tables, miniature golf courses, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, amusement parks, and the sales of unclaimed goods by express companies or common carriers, auto wrecking shops, bill posters, junk dealers, porters, carnival and street fairs, circuses and shows, for parade and exhibition, or both, skating rinks, and runners and solicitors for steamboats, cars, stages, taxicabs, hotels, rooming houses,

boardinghouses, bathhouses, masseurs, health schools, and all other vocations and business whatsoever, and all others pursuing like occupations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider moved that **House Amendment No. 11** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Fisher	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 049

Anders	Aull	Black	Carlson	Carter
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Taylor	Walton Gray	Webb	

PRESENT: 000

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ABSENT WITH LEAVE: 021

Allen	Atkins	Brown 50	Brown 116	Colona
Conway 14	Curtman	Diehl	Entlicher	Fitzwater
Flanigan	Hummel	Jones 117	Nasheed	Parkinson
Sater	Schatz	Schieffer	Talboy	Webber
Wyatt				

On motion of Representative Phillips, **HCS SCS SB 635, as amended**, was adopted.

On motion of Representative Phillips, **HCS SCS SB 635, as amended**, was read the third time and passed by the following vote:

AYES: 113

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 85
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Meadows
Nance	Nasheed	Neth	Nichols	Nolte
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 033

Carlson	Carter	Ellinger	Ellington	Holsman
Hummel	Jones 63	Kander	Kirkton	Lampe
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb		

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 016

Allen	Atkins	Brandom	Brown 50	Brown 116
Colona	Curtman	Flanigan	Hughes	Parkinson
Sater	Schatz	Schieffer	Schneider	Webber
Wyatt				

Representative Barnes declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 116

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McGhee	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Swearingen
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 035

Atkins	Carlson	Carter	Ellinger	Ellington
Holsman	Hughes	Hummel	Jones 63	Kander
Lampe	Marshall	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Brown 50	Colona	Flanigan	Gatschenberger
Grisamore	Sater	Schatz	Schieffer	Stream
Webber	Wyatt			

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 1073 & HCS HB 1477, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1731**, entitled:

An act to repeal sections 42.300, 161.215, and 313.835, RSMo, and to enact in lieu thereof four new sections relating to the use of gaming moneys, with an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 14, Section 313.835, Line 15 of said page, by inserting immediately after said line the following:

"Section 1. Notwithstanding the provisions of section 1.140, to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 2

AMEND Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 1, Section 1, Line 6, by striking the word "the" and inserting in lieu thereof the following: **"a"**.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 14, Section 313.835, Line 15, by inserting after all of said line the following:

"Section 1. The joint committee on education shall develop a comprehensive funding formula for Missouri public institutions of higher education by December 31, 2013. The General Assembly shall implement the funding formula beginning in fiscal year 2015."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 11, Section 161.216, Line 1, by inserting after all of said line the following:

"4. This section shall not be construed to limit the content of early childhood education courses, research, or training carried out by any public institution of higher education. A course on quality rating systems or

training quality assurance systems shall not be a requirement for certification by the state as an individual child care provider or any licensing requirement that may be established for an individual child care provider."; and

Further amend said section, Line 6, by inserting immediately after the word "system" the following:

"or "training quality assurance system""; and

Further amend Line 10, by inserting after the word "system" the following:

"or "training quality assurance system""; and

Further amend Line 14, by inserting after the first use of the word "system" the following:

"or "training quality assurance system""; and

Further renumber the remaining subsection accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **SS SCS HCS HB 2003** are allowed to exceed the difference in Sections 3.165, 3.180, 3.185, 3.190, 3.195 and 3.200.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 467, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS for SS for SCS for SB 470, as amended** and requests the House recede from its position and take up and pass **SS for SCS for SB 470**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 498, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 568, as amended**, and has taken up and passed **CCS HCS SB 568**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 & HA 2 to SCS SB 715** and requests the House recede from its position and take up and pass **SCS SB 715**.

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HB 1073 and HCS HB 1477: Representatives Smith (150), Loehner, Sater, Shively and Quinn

COMMITTEE REPORTS

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SS SB 464**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **SCS SB 729**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 55**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 57**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 64**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1877**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SJR 51**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SBs 489 & 637**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 576**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 633**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 682**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 711**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 739**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 788**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SCS SJR 51 - Fiscal Review

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 576 - Fiscal Review

RECESS

Representative Jones (89) moved the House stand in recess until such time that the Conference Committee Reports on House Bill No. 2002 through House Bill No. 2013 have been distributed, a Supplemental Calendar is distributed or 3:00 a.m., whichever comes first, and then stand adjourned until 9:00 a.m., Thursday, May 10, 2012.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2002**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2002.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Genise Montecillo

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2003**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2003.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2004**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2004.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2005**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2005.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2006**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2006.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2007**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007 as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2007.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2008**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2008.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2009**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2009.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2010**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2010.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2011**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2011.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Genise Montecillo
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2012**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2012.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2013**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2013.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 564**

The Conference Committee appointed on Senate Bill No. 564, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendments Nos. 3, 4, 6, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 564, as amended;
2. The Senate recede from its position on Senate Bill No. 564;
3. That the attached Conference Committee Substitute for Senate Bill No. 564, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown
/s/ Jay Wasson
/s/ Ron Richard
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Charlie Davis
/s/ David Day
/s/ Thomas Long
/s/ Tim Meadows
/s/ Joseph Fallert, Jr.

SUPPLEMENTAL CALENDAR

MAY 9, 2012

SENATE JOINT RESOLUTION FOR THIRD READING

SCS SJR 51, (Fiscal Review 5/9/12) - Cox

ADJOURNMENT

Pursuant to the motion of Representative Jones (89), the House adjourned until 9:00 a.m., Thursday, May 10, 2012.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE

Thursday, May 10, 2012, 12:00 PM House Lounge.

Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013

Executive session may be held on any matter referred to the committee.

CANCELLED

FISCAL REVIEW

Thursday, May 10, 2012, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Thursday, May 10, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: SCS SB 835

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 15, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Election of Chairman and Vice-Chairman

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, May 14, 2012, 2:00 PM House Hearing Room 6.

Discussion and executive session will be held on Officer Julius K. Moore Memorial Highway application.

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, May 10, 2012, Upon Morning Adjournment House Hearing Room 6.

Executive session will be held: HCS SS SCS SB 443, HCS SS SCS SB 448, HCS SCS SBs 484, 477 & 606, SB 504, HCS SCS SB 510, HCS SB 557, HCS SS SCS SB 592, HCS SB 594, HCS SCS SB 625, HCS SCS SB 648, HCS SB 668, HCS SB 690, HCS SCS SB 692, HCS SB 701, HCS SCS SB 714, HCS SCS SB 722, SS SB 727, HCS SB 739, HCS SS SB 742, HCS SS SCS SB 755, HCS SCS SB 758, HCS SB 760, HCS SS SB 769, HCS SS SB 781, HCS SS SB 854, SB 893, HCS SB 911, HCS SJR 37, HCS SS#2 SJR 48

Executive session may be held on any or all bills referred to this committee.

CORRECTED

HOUSE CALENDAR

SEVENTY-FIRST DAY, THURSDAY, MAY 10, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 89 - Schoeller
- 2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant
- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough
- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin
- 20 HCS HB 1846 - Long
- 21 HCS HB 1585 - Cross
- 22 HCS HB 1971 - Schneider
- 23 HB 1690 - May
- 24 HB 1728 - Johnson
- 25 HB 1790 - Torpey
- 26 HCS HB 1970 - Jones (117)
- 27 HB 1144 - Gatschenberger
- 28 HB 1394 - Brandom
- 29 HB 1456 - Black
- 30 HCS HB 1609 - Nasheed
- 31 HCS HB 1612 - Burlison
- 32 HB 2038 - Wallingford

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1328 - Cox
- 2 HCS HB 1922 - Molendorp
- 3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee
- 3 HB 1357 - Gatschenberger

HOUSE BILLS FOR THIRD READING - INFORMAL

- 1 HB 1277 - Long
- 2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 55 - Nolte
- 2 HCR 57 - McNary

SENATE JOINT RESOLUTIONS FOR THIRD READING

SCS SJR 51, (Fiscal Review 5/9/12) - Cox

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 469 - Smith (150)
- 2 HCS SB 620 - Gosen
- 3 HCS SB 636 - Diehl
- 4 SS SB 665 - Asbury
- 5 HCS SCS SB 726 - Wells
- 6 SS SCS SB 689 - Schad
- 7 SS SB 607 - Burlison
- 8 HCS#2 SCS SB 480 - Riddle
- 9 HCS SCS SB 485 - Kelly (24)
- 10 HCS SCS SB 563, E.C. - Leach
- 11 SB 599 - Dieckhaus
- 12 HCS SCS SB 631 - Reiboldt
- 13 HCS SCS SB 673 - Day
- 14 SCS SB 789 - Cox
- 15 HCS SB 813 - Brandom

- 16 HCS SCS SB 856 - Barnes
- 17 SS SCS SBs 489 & 637, E.C. - Franz
- 18 SS SCS SB 576, (Fiscal Review 5/9/12) - Richardson
- 19 SS SCS SB 633 - Largent
- 20 HCS SS SCS SB 682 - Richardson
- 21 HCS SCS SB 711 - Largent
- 22 HCS SB 739 - Cox
- 23 SCS SB 788 - Diehl

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1495 - Nance
- 2 SCS HB 1112 - Gosen
- 3 SCS HCS HB 1042, as amended - Thomson
- 4 SS SCS HCS HB 1400, E.C. - Richardson
- 5 HB 1250, with SA 1 & SA 2 - Ruzicka
- 6 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641,
HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended - Marshall
- 7 SS HB 1128 - Largent
- 8 HB 1103, with SA 1 & SA 2 - Crawford
- 9 SCS HB 1460 - Jones (117)
- 10 SS SCS HCS HB 1731, as amended, E.C. - Day

BILLS CARRYING REQUEST MESSAGES

- 1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
- 2 SCS HB 1135, as amended, (request Senate recede/grant conference) - Smith (150)
- 3 HCS SCS SB 498, as amended, (request House recede/grant conference), E.C. - Shumake
- 4 HCS SS SCS SB 467, as amended, (request House recede/grant conference) - Cox
- 5 SCS SB 715, with HA 1 and HA 2, (request House recede/take up and pass bill) - Day
- 6 HCS SS SCS SB 470, as amended, (request House recede/take up and pass bill) - Burlison

BILLS IN CONFERENCE

- 1 CCR HCS SB 568, as amended, E.C. - Franz
- 2 CCR SS SCS HCS HB 2002 - Silvey
- 3 CCR SS SCS HCS HB 2003, (exceed differences) - Silvey
- 4 CCR SS SCS HCS HB 2004 - Silvey
- 5 CCR SS SCS HCS HB 2005 - Silvey
- 6 CCR SS SCS HCS HB 2006, as amended - Silvey
- 7 CCR SS SCS HCS HB 2007 - Silvey
- 8 CCR SS SCS HCS HB 2008 - Silvey
- 9 CCR SS SCS HCS HB 2009 - Silvey
- 10 CCR SS SCS HCS HB 2010 - Silvey
- 11 CCR SS SCS HCS HB 2011, as amended - Silvey
- 12 CCR SS SCS HCS HB 2012 - Silvey
- 13 CCR SS SCS HCS HB 2013 - Silvey

- 14 CCR SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
- 15 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
- 16 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. -
Brown (116)
- 17 HCS SCS SB 569, as amended - Dugger
- 18 SS SCS HB 1073 and HCS HB 1477, as amended - Sater

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl
- 3 SCR 24 - Davis

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-FIRST DAY, THURSDAY, MAY 10, 2012

The House met pursuant to adjournment.

Representative Diehl in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He leadeth me in the paths of righteousness for His name's sake. (Psalm 23:3)

Eternal God, Whose love never lets us go, Whose patience never lets us down, and Whose justice never lets us off, hear us again as we offer unto You our morning prayer. We come out of a sense of need, out of a conviction that You are with us, and we would find our confidence and our courage in the support of Your sustaining strength.

We pray for light upon our way, love along our path, and speed amid the daily duties of our demanding day. Center our lives and the lives of our citizens around faith rather than fear, around justice rather than injustice, and around high principles rather than low prejudices. Strengthen us where we are weak, hold us firm when we would fall, steady us when we start to slip, and lift us up when down we go.

Remind us of the integrity which has strengthened our state, the freedom which is our rich heritage, and of our faith in You which has made and still makes Missouri great and strong. Lead us in the paths of righteousness.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Grace Talboy.

The Journal of the seventieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3102 through House Resolution No. 3126

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SJR 51**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SB 576**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 1731, as amended, relating to gaming and lottery moneys, was taken up by Representative Day.

On motion of Representative Day, **SS SCS HCS HB 1731, as amended**, was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 004

Hummel	McNeil	Oxford	Schupp
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ABSENT WITH LEAVE: 008

Brown 50	Colona	Hughes	Korman	McNary
Meadows	Sater	Scharnhorst		

On motion of Representative Day, **SS SCS HCS HB 1731, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 003

Hummel	Oxford	Schupp
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ABSENT WITH LEAVE: 010

Brown 50	Colona	Flanigan	Hughes	Korman
McGhee	McNary	Meadows	Newman	Sater

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison

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Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Colona	Hughes	Korman	McNary
Meadows	Sater			

THIRD READING OF SENATE JOINT RESOLUTION

SCS SJR 51, relating to nonpartisan selection of judges, was taken up by Representative Cox.

Representative Talboy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Joint Resolution No. 51, Page 1, Section 25(a), Lines 4-5, by deleting all of said lines and inserting in lieu thereof the following:

“Louis [and], Jackson County **or any other circuit**, the”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 50	Colona	Hughes	Korman
McDonald	McNary	Meadows	Nasheed	Sater
Schneider	Walton Gray			

Representative Talboy moved that **House Amendment No. 1** be adopted.

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Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Neth	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Webb	Webber			

NOES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Colona	Franklin	Haefner	Hughes
Kelly 24	Korman	Nasheed	Sater	Walton Gray

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Colona	Hughes	Korman	Nasheed
Sater	Walton Gray			

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On motion of Representative Cox, **SCS SJR 51** was truly agreed to and finally passed by the following vote:

AYES: 084

Allen	Asbury	Bahr	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Klippenstein	Koenig	Lair	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Nance	Parkinson	Phillips	Redmon	Reiboldt
Riddle	Ruzicka	Schad	Scharnhorst	Schatz
Schneider	Schoeller	Shumake	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
White	Wright	Zerr	Mr Speaker	

NOES: 071

Anders	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Carlson	Carter	Casey
Cierpiot	Conway 27	Ellinger	Ellington	Fallert
Fisher	Harris	Hinson	Hodges	Holsman
Hummel	Jones 63	Kander	Kelley 126	Kelly 24
Kirkton	Kratky	Lampe	Lasater	Lichtenegger
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Neth	Newman	Nichols	Oxford
Pace	Pierson	Pollock	Quinn	Richardson
Rizzo	Rowland	Schieber	Schieffer	Schupp
Shively	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Webb	Webber	Weter	Wieland
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Colona	Hughes	Korman	Nasheed
Nolte	Sater	Walton Gray		

Representative Diehl declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HB 1073 and HCS HB 1477, as amended**: Senators Munzlinger, Parson, Lager, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1135, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 455, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 and HA 2 to SCS SB 566** and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 578, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 628, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HB 1135: Representatives Smith (150), McNary, Fraker, Lampe and McCann-Beatty.

BILLS IN CONFERENCE

CCR SS SCS HCS HB 2002, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2002** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14

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Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 012

Carlson	Ellington	Hughes	Kratky	Marshall
Newman	Oxford	Schupp	Sifton	Smith 71
Still	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Colona	Korman	Nasheed	Sater
Scharnhorst	Walton Gray			

On motion of Representative Silvey, **CCS SS SCS HCS HB 2002** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney

Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Spreng	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 013

Carlson	Ellinger	Ellington	Hughes	Kratky
Marshall	Newman	Oxford	Schupp	Sifton
Smith 71	Still	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Colona	Grisamore	Korman	McNary
Nasheed	Sater	Scharnhorst	Walton Gray	

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2003, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2003** was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McCreery

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McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Neth	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 014

Carlson	Ellinger	Ellington	Hughes	Kratky
Marshall	May	Newman	Nichols	Oxford
Pace	Smith 71	Spreng	Still	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Cox	Davis	Funderburk
Grisamore	Holsman	Korman	Nasheed	Nolte
Parkinson	Sater	Schad	Scharnhorst	Schupp
Smith 150	Walton Gray	Wyatt		

On motion of Representative Silvey, **CCS SS SCS HCS HB 2003** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Nichols	Nolte	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schoeller	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen

Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 013

Carlson	Ellinger	Ellington	Hughes	Kratky
Marshall	May	Newman	Oxford	Pierson
Smith 71	Spreng	Still		

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Colona	Holsman	Korman	Lasater
Nasheed	Sater	Scharnhorst	Walton Gray	White

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2004, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2004** was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

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Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Hughes	Kratky	Marshall	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 011

Bahr	Brown 50	Colona	Ellinger	Korman
Nasheed	Phillips	Sater	Scharnhorst	Smith 150
Walton Gray				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2004** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Stream	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 007

Ellington	Hodges	Hughes	Kratky	Marshall
Oxford	Swinger			

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Colona	Harris	Korman	Sater
Scharnhorst	Spreng	Still	Swearingen	Walton Gray

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2005, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2005** was adopted by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 006

Carlson	Hughes	Marshall	Oxford	Schupp
Smith 71				

PRESENT: 000

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ABSENT WITH LEAVE: 010

Brown 50	Colona	Dugger	Ellington	Korman
Sater	Scharnhorst	Schneider	Walton Gray	Wyatt

On motion of Representative Silvey, **CCS SS SCS HCS HB 2005** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Carlson	Hughes	Marshall	Oxford	Schupp
Smith 71				

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Dugger	Ellington	Korman
May	Riddle	Sater	Scharnhorst	Schneider
Walton Gray				

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2006, as amended, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2006, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

Kratky	Marshall	Oxford
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PRESENT: 001

Ellington

ABSENT WITH LEAVE: 014

Brattin	Brown 50	Colona	Conway 14	Davis
Higdon	Hubbard	Korman	Lant	McCreery
Meadows	Sater	Scharnhorst	Walton Gray	

On motion of Representative Silvey, **CCS SS SCS HCS HB 2006** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 003

Kratky	Marshall	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Conway 14	Day	Higdon
Hughes	Korman	Phillips	Sater	Scharnhorst
Walton Gray				

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2007, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2007** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 008

Carter	Ellington	Hughes	Kratky	Marshall
Oxford	Pierson	Smith 71		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Conway 14	Cox	Higdon
Korman	McNary	Parkinson	Sater	Scharnhorst
Walton Gray				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2007** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Solon	Sommer
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 009

Carter	Ellinger	Ellington	Kratky	Marshall
Oxford	Pierson	Smith 71	Still	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Colona	Conway 14	Higdon	Holsman
Hughes	Korman	Lair	Parkinson	Phillips
Sater	Schad	Scharnhorst	Smith 150	Walton Gray

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2008, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2008** was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Lair	Lampe
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Hughes	Kratky	Marshall	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Day	Korman	Lauer
McCreery	Parkinson	Sater	Scharnhorst	Swearingen
Walton Gray				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2008** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 004

Hughes	Kratky	Marshall	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Colona	Day	Fitzwater	Hummel
Korman	Loehner	Parkinson	Sater	Scharnhorst
Smith 150	Walton Gray			

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2009, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2009** was adopted by the following vote:

AYES: 150

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 004

Hughes	Kratky	Marshall	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brown 50	Colona	Franklin	Korman
Parkinson	Sater	Scharnhorst	Walton Gray	

On motion of Representative Silvey, **CCS SS SCS HCS HB 2009** was read the third time and passed by the following vote:

AYES: 150

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 004

Hughes	Kratky	Marshall	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brown 50	Colona	Korman	Parkinson
Sater	Schad	Scharnhorst	Walton Gray	

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2010, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2010** was adopted by the following vote:

AYES: 130

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 022

Atkins	Carter	Ellinger	Ellington	Holsman
Hughes	Hummel	Jones 63	Kratky	Marshall
McCann Beatty	McNeil	Oxford	Pace	Pierson
Schupp	Sifton	Smith 71	Spreng	Still
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Brown 50	Colona	Guernsey	Haefner
Korman	Sater	Schad	Scharnhorst	Shively
Walton Gray				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2010** was read the third time and passed by the following vote:

AYES: 128

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 025

Atkins	Carlson	Carter	Ellinger	Ellington
Harris	Holsman	Hummel	Jones 63	Kratky
Marshall	McCann Beatty	McNeil	Morgan	Newman
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Spreng	Still	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 010

Allen	Brown 50	Colona	Cox	Haefner
Hughes	Korman	Sater	Scharnhorst	Walton Gray

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2011, as amended, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2011, as amended**, was adopted by the following vote:

AYES: 115

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McDonald	McGeoghegan	McGhee	McNary
Molendorp	Montecillo	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 039

Atkins	Carlson	Carter	Ellinger	Ellington
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kirkton	Kratky	Lampe
Marshall	McCann Beatty	McCreery	McManus	McNeil
Meadows	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brown 50	Colona	Funderburk	Haefner
Korman	Sater	Scharnhorst	Walton Gray	

On motion of Representative Silvey, **CCS SS SCS HCS HB 2011** was read the third time and passed by the following vote:

AYES: 112

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McDonald	McGhee
McNary	Molendorp	Montecillo	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 038

Atkins	Carlson	Carter	Ellinger	Ellington
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kirkton	Kratky	Lampe
Marshall	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Brown 50	Colona	Cox	Funderburk
Haefner	Hinson	Kelly 24	Korman	Sater
Schad	Scharnhorst	Walton Gray		

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2012, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2012** was adopted by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Ellinger	Ellington	Kratky	Marshall	Oxford
Smith 71				

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Brown 50	Carlson	Carter	Colona
Cox	Dugger	Funderburk	Haefner	Hughes
Korman	Sater	Schad	Scharnhorst	Walton Gray
Webb				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2012** was read the third time and passed by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Grisamore	Guernsey	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 005

Ellinger	Kratky	Marshall	Oxford	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Brown 50	Carter	Colona	Cox
Dugger	Ellington	Funderburk	Gosen	Haefner
Hughes	Korman	Sater	Schad	Scharnhorst
Walton Gray	Webb			

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2013, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2013** was adopted by the following vote:

AYES: 145

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 116	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Atkins	Brown 50	Brown 85	Carter
Colona	Cox	Dugger	Funderburk	Haefner
Hughes	Korman	McCreery	Sater	Scharnhorst
Walton Gray	Webb			

On motion of Representative Silvey, **CCS SS SCS HCS HB 2013** was read the third time and passed by the following vote:

AYES: 144

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Day
Denison	Dieckhaus	Diehl	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brown 50	Carter	Colona	Cox
Davis	Dugger	Funderburk	Haefner	Higdon
Hughes	Korman	Sater	Schad	Scharnhorst
Still	Walton Gray	Webb		

Representative Diehl declared the bill passed.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 26 - Transportation Funding and Public Institutions

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SCS SB 655 - Fiscal Review

COMMITTEE REPORT

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SS SB 749**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 1135, as amended**: Senators Dixon, Cunningham, Ridgeway, Green and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1402**, entitled:

An act to repeal sections 21.795, 70.441, 142.932, 144.030, 226.500, 260.392, 301.010, 301.032, 301.069, 301.218, 301.260, 301.280, 301.559, 301.560, 301.562, 301.567, 301.570, 302.010, 302.060, 302.130, 302.309, 302.341, 302.530, 302.700, 303.200, 304.120, 304.190, 306.127, 307.365, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.063, 390.116, 390.201, 390.280, 544.046, and 643.320, RSMo, and to enact in lieu thereof fifty-three new sections relating to transportation, with penalty provisions, an effective date for certain sections and an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 9.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 36, Section 226.541, Line 20 of said page, by striking "aces" and inserting in lieu thereof the following:

"**faces**"; and

Further said bill and section, Page 38, Lines 13 and 14 of said page, by striking said lines and inserting in lieu thereof the following: "**reset agreement program or digital upgrade regulations described in this section.**".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 100, Section 301.580, Line 20 of said page, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure."; and

Further amend said bill, Page 153, Section 306.127, Line 10 of said page, by inserting after all of said line the following:

"306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Pages 178-179, Section 537.292, by striking said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 67, Section 301.260, Line 27 of said page, by inserting immediately after the word "plate" a comma ","; and

Further amend said line, by inserting immediately after the word "or" a comma ",".

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Pages 38-45, Section 260.392, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 32, Section 144.758, Line 21 of said page, by striking the word "motors" and inserting in lieu thereof the following:

"motor vehicles".

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 148, Section 304.190, Line 25 of said page, by inserting after all of said line the following:

"304.289. The timing of any traffic-control signal shall conform to regulations promulgated by the Department of Transportation. The department of transportation shall establish minimal yellow light change

interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 65, Section 301.069, Line 3, by inserting after all of said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor

vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 8, Section 21.795, Line 1, by inserting immediately after said line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; [and]
 (2) Grant county [sales tax] revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233;

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. [If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter

233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue] **In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy.**

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

- (1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;
- (2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and
- (3) It contains the following information:
 - (a) The legal description of the proposed district, including a map illustrating the district boundaries;
 - (b) The name of the proposed district;
 - (c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;
 - (d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;
 - (e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;
 - (f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;
 - (g) If the district is to be a political subdivision, the number of directors to serve on the board;
 - (h) The total assessed value of all real property within the proposed district;
 - (i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;
 - (j) The proposed length of time for the existence of the district;
 - (k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;
 - (l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;
 - (m) The limitations, if any, on the borrowing capacity of the district;
 - (n) The limitations, if any, on the revenue generation of the district;
 - (o) Other limitations, if any, on the powers of the district;
 - (p) A request that the district be established; and
 - (q) Any other items the petitioners deem appropriate; [and]

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner:

Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:.....

If owner is not an individual, state what type of entity:

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

.....

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

.....

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF)

Before me personally appeared, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this day of (month), (year).

.....

Notary Public

My Commission Expires: ; and

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a sales tax or real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing

body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a community improvement district-wide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO"; or

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than (insert amount) dollars per hundred dollars assessed valuation for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of purpose) in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

2. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

3. The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087.

4. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

5. In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

6. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

8. A district may by resolution repeal or lower the rate of any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal or lower rate of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

9. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability

to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

10. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

(a) The district's real property, except for public rights-of-way for utilities;

(b) The district's personal property, except in a city not within a county; or

(c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;

(12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;

(13) To loan money as provided in sections 67.1401 to 67.1571;

(14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

(15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;

(16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:

(a) Pedestrian or shopping malls and plazas;

(b) Parks, lawns, trees, and any other landscape;

(c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

(d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

(e) Parking lots, garages, or other facilities;

(f) Lakes, dams, and waterways;

(g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;

(h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

(i) Paintings, murals, display cases, sculptures, and fountains;

- (j) Music, news, and child-care facilities; and
 - (k) Any other useful, necessary, or desired improvement;
 - (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;
 - (18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;
 - (19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;
 - (20) Within its boundaries, to lease space for sidewalk café tables and chairs;
 - (21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;
 - (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property;
 - (23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;
 - (24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;
 - (25) To provide or support training programs for employees of businesses within the district;
 - (26) To provide refuse collection and disposal services within the district;
 - (27) To contract for or conduct economic, planning, marketing or other studies;
 - (28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and
 - (29) To carry out any other powers set forth in sections 67.1401 to 67.1571.
2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:
- (1) Within its blighted area, to contract with any private property owner to demolish and remove, renovate, reconstruct, **construct**, or rehabilitate any building or structure **or improvement** owned by such private property owner; and
 - (2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.
3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.
4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.
5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2002**, and has taken up and passed **CCS SS SCS HCS HB 2002**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2003**, and has taken up and passed **CCS SS SCS HCS HB 2003**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2004**, and has taken up and passed **CCS SS SCS HCS HB 2004**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2005**, and has taken up and passed **CCS SS SCS HCS HB 2005**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2006**, **as amended**, and has taken up and passed **CCS SS SCS HCS HB 2006**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2007**, and has taken up and passed **CCS SS SCS HCS HB 2007**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2008**, and has taken up and passed **CCS SS SCS HCS HB 2008**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2009**, and has taken up and passed **CCS SS SCS HCS HB 2009**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2010**, and has taken up and passed **CCS SS SCS HCS HB 2010**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2011**, **as amended**, and has taken up and passed **CCS SS SCS HCS HB 2011**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2012**, and has taken up and passed **CCS SS SCS HCS HB 2012**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2013**, and has taken up and passed **CCS SS SCS HCS HB 2013**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 635, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 719

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, with House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 719;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 719 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Kehoe
/s/ Eric Schmitt
/s/ Jack Goodman
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Wanda Brown
/s/ Caleb Jones
/s/ Don Ruzicka
/s/ Tim Meadows
/s/ Tom McDonald

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, May 14, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW

Monday, May 14, 2012, 3:00 PM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW

Tuesday, May 15, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW

Wednesday, May 16, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee.

FISCAL REVIEW

Thursday, May 17, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW

Friday, May 18, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

JOINT COMMITTEE ON EDUCATION

Tuesday, May 15, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Election of Chairman and Vice-Chairman

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, May 14, 2012, 2:00 PM House Hearing Room 6.
Discussion and executive session will be held on Officer Julius K. Moore Memorial Highway application.

RURAL COMMUNITY DEVELOPMENT

Tuesday, May 15, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCR 15
Executive session will be held: SCR 15
Executive session may be held on any matter referred to the committee.
AMENDED

HOUSE CALENDAR

SEVENTY-SECOND DAY, MONDAY, MAY 14, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 89 - Schoeller
- 2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant
- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough
- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin
- 20 HCS HB 1846 - Long
- 21 HCS HB 1585 - Cross
- 22 HCS HB 1971 - Schneider
- 23 HB 1690 - May
- 24 HB 1728 - Johnson
- 25 HB 1790 - Torpey
- 26 HCS HB 1970 - Jones (117)
- 27 HB 1144 - Gatschenberger
- 28 HB 1394 - Brandom
- 29 HB 1456 - Black
- 30 HCS HB 1609 - Nasheed
- 31 HCS HB 1612 - Burlison
- 32 HB 2038 - Wallingford
- 33 HCS HB 1877 - Sommer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1328 - Cox
- 2 HCS HB 1922 - Molendorp
- 3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee
- 3 HB 1357 - Gatschenberger

HOUSE BILLS FOR THIRD READING - INFORMAL

- 1 HB 1277 - Long
- 2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 55 - Nolte
- 2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 469 - Smith (150)
- 2 HCS SB 620 - Gosen
- 3 HCS SB 636 - Diehl
- 4 SS SB 665 - Asbury
- 5 HCS SCS SB 726 - Wells
- 6 SS SCS SB 689 - Schad
- 7 SS SB 607 - Burlison
- 8 HCS#2 SCS SB 480 - Riddle
- 9 HCS SCS SB 485 - Kelly (24)
- 10 HCS SCS SB 563, E.C. - Leach
- 11 SB 599 - Dieckhaus
- 12 HCS SCS SB 631 - Reiboldt
- 13 HCS SCS SB 673 - Day
- 14 SCS SB 789 - Cox
- 15 HCS SB 813 - Brandom
- 16 HCS SCS SB 856 - Barnes
- 17 1SS SCS SBs 489 & 637, E.C. - Franz
- 18 SS SCS SB 576 - Richardson
- 19 SS SCS SB 633 - Largent

- 20 HCS SS SCS SB 682 - Richardson
- 21 HCS SCS SB 711 - Largent
- 22 HCS SB 739 - Cox
- 23 SCS SB 788 - Diehl
- 24 HCS SCS SB 655, (Fiscal Review 5/10/12) - Kelly (24)
- 25 HCS SB 667 - Korman
- 26 HCS SCS SB 671, E.C. - Dugger

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1495 - Nance
- 2 SCS HB 1112 - Gosen
- 3 SCS HCS HB 1042, as amended - Thomson
- 4 SS SCS HCS HB 1400, E.C. - Richardson
- 5 HB 1250, with SA 1 & SA 2 - Ruzicka
- 6 SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB 1269, HB 1641,
HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended - Marshall
- 7 SS HB 1128 - Largent
- 8 HB 1103, with SA 1 & SA 2 - Crawford
- 9 SCS HB 1460 - Jones (117)
- 10 SS SCS HCS HB 1402, as amended - Burlison

BILLS CARRYING REQUEST MESSAGES

- 1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
- 2 HCS SCS SB 498, as amended, (request House recede/grant conference), E.C. - Shumake
- 3 HCS SS SCS SB 467, as amended, (request House recede/grant conference) - Cox
- 4 SCS SB 715, with HA 1 and HA 2, (request House recede/take up and pass bill) - Day
- 5 HCS SS SCS SB 470, as amended, (request House recede/take up and pass bill) - Burlison
- 6 SCS SB 566, with HA 1 & HA 2 (request House recede/grant conference) - Jones (117)
- 7 HCS SB 455, as amended (request House recede/grant conference) - Thomson
- 8 HCS SB 578, as amended (request House recede/grant conference), E.C. - Cox
- 9 HCS SB 628, as amended (request House recede/grant conference) - Kelly (24)
- 10 HCS SCS SB 635, as amended (request House recede/grant conference), E.C. - Phillips

BILLS IN CONFERENCE

- 1 CCR HCS SB 568, as amended, E.C. - Franz
- 2 CCR SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
- 3 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
- 4 CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. -
Brown (116)
- 5 HCS SCS SB 569, as amended - Dugger
- 6 SS SCS HB 1073 and HCS HB 1477, as amended - Sater
- 7 SCS HB 1135, as amended - Smith (150)

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl
- 3 SCR 24 - Davis

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-SECOND DAY, MONDAY, MAY 14, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

O LORD our God, Your servant, Moses, led the congregation of Israel in singing “The LORD is my strength and song, and He has become my salvation; This is my God, and I will praise Him; My father's God, and I will extol Him. Who among the gods is like You, O LORD? Who is like You--majestic in holiness, awesome in glory, working wonders?” (*Exodus 15:2, 11*)

LORD, as we enter the last week of the legislative session I pray for each legislator, each staff person, each lobbyist and each guest in this chamber.

May each one of us, O LORD, recall two things: First of all, may we all remember Your command through the songwriter to “Delight yourself also in the LORD and He shall give you the desires of your heart” (*Psalms 37:4*). We all seek true peace, true contentment, true love and true happiness. May we learn that these desires cannot be found in money, power, prestige, nature, knowledge, or in other people--but only in You. May we seek diligently after You.

Second, LORD, may we also pay heed to Your warning of calling what You have called “evil” as “good” and labeling what You have deemed “good” as “evil” (*Isaiah 5:20*).

May this last week of session be characterized by humility, truth and righteousness.

May we fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good, and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caleigh Green and Meadow Green.

The Journal of the seventy-first day was approved as printed.

HOUSE RESOLUTION

Representative Bernskoetter offered House Resolution No. 3158.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3127 through House Resolution No. 3157

House Resolution No. 3159 through House Resolution No. 3162

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 655**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Keeney assumed the Chair.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 498, as amended, relating to charitable veterans' organizations, was taken up by Representative Shumake.

Representative Shumake moved that the House refuse to recede from its position on **HCS SCS SB 498, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SCS SB 467, as amended, relating to the state accountability portal, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SS SCS SB 467, as amended**, and grant the Senate a conference.

Which motion was adopted.

SCS SB 566, with House Amendment No. 1 and House Amendment No. 2, relating to rabies vaccinations, was taken up by Representative Jones (117).

Representative Jones (117) moved that the House refuse to recede from its position on **House Amendment No. 1 and House Amendment No. 2 to SCS SB 566** and grant the Senate a conference.

Which motion was adopted.

HCS SB 455, as amended, relating to the Coordinating Board for Higher Education, was taken up by Representative Thomson.

Representative Thomson moved that the House refuse to recede from its position on **HCS SB 455, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 578, as amended, relating to state property, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SB 578, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 628, as amended, relating to judicial procedures, was taken up by Representative Kelly (24).

Representative Kelly (24) moved that the House refuse to recede from its position on **HCS SB 628, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 635, as amended, relating to financial transactions, was taken up by Representative Phillips.

Representative Phillips moved that the House refuse to recede from its position on **HCS SCS SB 635, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended, relating to the Fred F. Guthrie, Jr. Memorial Highway, was taken up by Representative Marshall.

Representative Marshall moved that the House refuse to adopt **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 1402, as amended, relating to road use, was taken up by Representative Burlison.

Representative Burlison moved that the House refuse to adopt **SS SCS HCS HB 1402, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 116	Diehl	Funderburk	Hughes	Korman
Newman	Riddle	Mr Speaker		

Representative Burlison again moved that the House refuse to adopt **SS SCS HCS HB 1402, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 470, as amended, relating to transportation, was taken up by Representative Burlison.

Representative Burlison moved that the House refuse to recede from its position on **HCS SS SCS SB 470, as amended**, and request the Senate grant the House a conference.

Which motion was adopted.

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Silvey.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1036**, entitled:

An act to repeal sections 115.123 and 115.241, RSMo, and to enact in lieu thereof one new section relating to elections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1072**, entitled:

An act to amend chapter 191, RSMo, by adding thereto six new sections relating to the volunteer health services act.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 455, as amended**: Senators Pearce, Brown, Dixon, Wright-Jones and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 467, as amended**: Senators Munzlinger, Kraus, Lamping, Callahan and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 498, as amended**: Senators Munzlinger, Crowell, Brown, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 578, as amended**: Senators Parson, Munzlinger, Engler, Wright-Jones and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 628, as amended**: Senators Schaefer, Kehoe, Dixon, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 635, as amended**: Senators Pearce, Engler, Wasson, Justus and Wright-Jones.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SB 455: Representatives Thomson, Jones (89), Zerr, McCann Beatty and Jones (63)

HCS SS SCS SB 467: Representatives Cox, Smith (150), Torpey, Rizzo and Holsman

HCS SCS SB 498: Representatives Shumake, Davis, Day, Talboy and Kelly (24)

SCS SB 566: Representatives Jones (117), Loehner, Brattin, Harris and Shively

HCS SB 578: Representatives Cox, Gatschenberger, Jones (117), Hummel and McManus

HCS SB 628: Representatives Cox, Diehl, Elmer, Carlson and Kelly (24)

HCS SCS SB 635: Representatives Phillips, Wells, Smith (150), Oxford and Nichols

THIRD READING OF SENATE BILLS

HCS SB 636, relating to judicial procedures, was taken up by Representative Diehl.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 636, Page 40, Section 513.430, Line 86, by inserting after all of said line the following:

“513.432. 1. This section shall be known and may be cited as the "Senior's Retirement Protection Act".
2. Notwithstanding any other provision of law to the contrary, any person age sixty-two years of age or older, together with his or her spouse if applicable, owning a home which is such person's primary residence shall have exempt from attachment or execution the home's value up to one hundred twenty-five thousand dollars. If more than one home owner claims an exemption under this section, the exemption allowed in the aggregate shall not exceed the total exemption allowed under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Solon moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Cross offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 400.9-311, Line 25, by inserting after all of said section and line the following:

“441.060. 1. A tenancy at will or by sufferance, or for less than one year, may be terminated by the person entitled to the possession by giving one month's notice, in writing, to the person in possession, requiring the person in possession to vacate the premises.

2. An occupancy limitation of two persons per bedroom residing in a dwelling unit shall be presumed reasonable for this state. The two-person limitation shall not apply to a child or children born to the tenants during the course of the lease.

3. Except as otherwise provided by law, all contracts or agreements for the leasing, renting or occupation of stores, shops, houses, tenements or other buildings in cities, towns or villages, and of stores, shops, houses, tenements or other buildings except when such leasing, renting or occupation is as tenant of real estate used or rented for agricultural purposes, other than garden purposes, not made in writing, signed by the parties thereto, or their agents, shall be held and taken to be tenancies from month to month, and all such tenancies may be terminated by either party thereto, or the party's agent, giving to the other party, or the party's agent, one month's notice, in writing, of the party's intention to terminate such tenancy.

4. (1) Except as provided in subdivision (2), the landlord or the tenant may terminate a month-to-month tenancy by a written notice given to the other party stating that the tenancy shall terminate upon a periodic rent-paying date not less than one month after the receipt of the notice.

(2) When a person occupies and has an ownership interest in a mobile home and is leasing the land or the lot upon which the mobile home is located, a tenancy for less than one year may be terminated by the landlord by giving written notice to the tenant that the tenancy shall terminate not sooner than sixty days from the date the rent payment next becomes due, notwithstanding any written lease provision regarding earlier lease termination to the contrary.

5. If after the rendition of a judgment and a request for an execution on any judgment rendered in an action pursuant to chapter 524, chapter 534, chapter 535, or this chapter and there is no stay of execution, the service officer fails to deliver possession of the premises to the landlord within seven days of the delivery of the writ to such officer, the landlord may, within sixty days, **or fourteen days in cases involving residential property**, of the date of the judgment, in the presence of a municipal or county law enforcement officer of the jurisdiction in which the premises are located, without breach of the peace, break and remove locks, enter and take possession of the premises and remove any household goods, furnishings, fixtures or any other personal property left in or at the premises, provided the law enforcement officer is first presented a true copy of the judgment and order of execution, and the law enforcement officer acknowledges in writing such presentation, and such acknowledgment is filed in court by the plaintiff within five days following taking possession of the premises.

6. Except for negligent, willful or wanton acts or omissions of the landlord, or failure to both timely obtain and file the law enforcement officer acknowledgment described in the preceding subsection, the landlord shall have no liability for loss or damage to any household goods, furnishings, fixtures or any other personal property left in or at the dwelling unit, by reason of the landlord's removal of the property in accordance with the provisions of this section.”; and

Further amend said bill, Section 523.010, Page 42, Line 63, by inserting after all of said section and line the following:

“534.055. If an unauthorized pet is located on the tenant's property, the landlord may enter the tenant's property for purposes of removing such pet. As used in this section, "unauthorized pet" means a pet prohibited by the lease and any animal deemed aggressive.

534.070. 1. When complaint to the circuit court of the proper county shall be made in writing, signed by the party aggrieved, his agent or attorney, and sworn to, specifying the lands, tenements or other possessions so forcibly entered and detained, or unlawfully detained, and by whom and when done, it shall be the duty of the clerk of the court to issue a summons directed to the sheriff or proper officer of the county, commanding him to summon the person against whom the complaint shall have been made to appear, at a day in such summons to be specified.

2. A court date shall be assigned at the time the summons is issued. The court date shall be for a day certain which is not more than [twenty-one] **fourteen** business days from the date the summons is issued unless, at the time the case is filed, the plaintiff or plaintiff's attorney consents in writing to a later date.

534.275. (1) If a tenant dies, the landlord may mail a notice to the last known address of the deceased tenant explaining that his or her property will be removed from the premises within ten days from the date of the certified mailing of the notice. If the property remains at such premises, the property is deemed abandoned and the landlord is not responsible for the property.

(2) The landlord may prorate any rent that has already been received if the deceased tenant's property is removed from the premises during a period for which rent has already been paid.

(3) If the landlord reaches an agreement with the next of kin to hold the property beyond the ten days as provided in this section, the landlord may charge the next of kin for reasonable and necessary charges associated with the storage of the deceased tenant's property.

535.020. 1. Whenever any rent has become due and payable, and payment has been demanded by the landlord or the landlord's agent from the lessee or person occupying the premises, and payment thereof has not been made, the landlord or agent may file a statement, verified by affidavit, with any associate circuit judge in the county in which the property is situated, setting forth the terms on which such property was rented, and the amount of rent actually due to such landlord; that the rent has been demanded from the tenant, lessee or person occupying the premises, and that payment has not been made, and substantially describing the property rented or leased. Giving the notice provided in section 441.060 is not required prior to filing a statement or obtaining the relief provided in this chapter. In such case, the clerk of the court shall immediately issue a summons directed to such tenant or lessee and to all persons occupying the premises, by name, requiring them to appear before the judge upon a day to be therein named, and show cause why possession of the property should not be restored to the plaintiff. The landlord or agent may, in such an action for unpaid rent, join a claim for any other unpaid sums, other than property damages, regardless of how denominated or defined in the lease, to be paid by or on behalf of a tenant to a landlord for any purpose set forth in the lease; provided that such other sums shall not be considered rent for purposes of this chapter, and judgment for the landlord for recovery of such other sums shall not by itself entitle the landlord to an order for recovery of possession of the premises. The provisions of this section providing for the filing of a statement before an associate circuit judge shall not preclude adoption of a local circuit court rule providing for the centralized filing of such cases, nor the assignment of such cases to particular circuit or associate circuit judges pursuant to local circuit court rule or action by the presiding judge of the circuit. The case shall be heard and determined under the practice and procedure provided in the Missouri rules of civil procedure, except where otherwise provided by this chapter.

2. If a judgment has been entered in favor of the plaintiff under subsection 1 of this section for recovery of the premises, within ten days of such judgment, the sheriff of the county in which the premises is located shall inspect the premises for safety prior to removal of contents, if any.

535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date

the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons, shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that the defendant has ten days from the date of the judgment to file a motion to set aside the judgment [or to file an application for a trial de novo in the circuit court, as the case may be,] and that unless the judgment is set aside [or an application for a trial de novo] is filed within ten days, the judgment will become final and the defendant will be subject to eviction from the premises without further notice.

535.035. Notwithstanding any provision of law to the contrary, in any landlord-tenant action, the summons may be served by either the sheriff or a private process server. The method of service shall be determined by the landlord.

535.040. 1. Upon the return of the summons executed, the judge shall set the case on the first available court date, **so long as such date is within thirty days**, and shall proceed to hear the cause, and if it shall appear that the rent which is due has been demanded of the tenant, lessee or persons occupying the property, and that payment has not been made, and if the payment of such rent, with all costs, shall not be tendered before the judge, on the hearing of the cause, the judge shall render judgment that the landlord recover the possession of the premises so rented or leased, and also the debt for the amount of the rent then due, with all court costs and shall issue an execution upon such judgment, commanding the officer to put the landlord into immediate possession of the property leased or rented, and to make the debt and costs of the goods and chattels of the defendant. No money judgment shall be granted to the plaintiff if the defendant is in default and service was by the posting procedure provided in section 535.030 unless the defendant otherwise enters an appearance. The officer shall deliver possession of the property to the landlord within five days from the time of receiving the execution, and the officer shall proceed upon the execution to collect the debt and costs, and return the writ, as in the case of other executions. If the plaintiff so elects, the plaintiff may sue for possession alone, without asking for recovery of the rent due.

2. Except for willful, wanton, or malicious acts or omissions, neither the landlord nor his or her successors, assigns, agents, nor representatives shall be liable to any tenant or subtenant for loss or damage to any household goods, furnishings, fixtures, or any other personal property left in or at the dwelling by the tenant or subtenant of such dwelling, by the reason of the landlord's removal or disposal of the property under a court-ordered execution for possession of the premises.

3. Notwithstanding the provisions of subsection 2 of this section, if, after the sheriff has completed the court-ordered execution, property is left by the tenant in or at the dwelling bearing a conspicuous permanent label or marking identifying it as the property of a third party, the landlord shall notify the third party by certified mail with a

return receipt requested. The third party shall be given an opportunity to recover such property within five business days of the date such notice is received. If the landlord is unable to notify the third party, the landlord may remove or dispose of such property and shall incur no liability for any loss or damage thereto.

535.110. Applications for [trials de novo and] appeals shall be allowed and conducted in the manner provided in chapter 512; but no application for [a trial de novo or] **an** appeal shall stay execution unless the defendant give bond, with security sufficient to secure the payment of all damages, costs and rent then due, and with condition to stay waste and to pay all subsequently accruing rent, if any, into court within [ten] **three** days after it becomes due, pending determination of the [trial de novo or] appeal.

535.145. On the date a judgment is entered in favor of the landlord, the landlord has the right to enter, inspect, and record the condition of the premises.

535.160. **1. After a money judgment has been entered in favor of the plaintiff, the defendant shall pay such moneys within five days of such judgment with certified funds.** If the defendant, on the date any money judgment is given in any action pursuant to this chapter, either tenders to the landlord, or brings into the court where the suit is pending, all the rent then in arrears, and all the costs, further proceedings in the action shall cease and be stayed. If on any date after the date of any original trial [but before any trial de novo] the defendant shall satisfy such money judgment and pay all costs, any execution for possession of the subject premises shall cease and be stayed; except that the landlord shall not thereby be precluded from making application for appeal from such money judgment. If for any reason no money judgment is entered against the defendant and judgment for the plaintiff is limited only to possession of the subject premises, no stay of execution shall be had, except as provided by the provisions of section 535.110 or the rules of civil procedure or by agreement of the parties.

2. If the landlord is required to hire an attorney for proceedings against the tenant, the tenant shall pay attorney fees if the landlord prevails in such action.

535.170. After the execution of any judgment for possession pursuant to this chapter, the lessee and the lessee's assignees, and all other persons deriving title under the lease from such lessee, shall be barred from reentry of such premises and from all relief, and except for error in the record or proceedings, the landlord shall from that day hold the demised premises discharged from the lease. Nothing in this section shall preclude an aggrieved party from perfecting an appeal [or securing a trial de novo] as to any judgment rendered, and may as a result of such appeal [or trial de novo] recover any damage incurred, including damages incurred from an unlawful dispossession.

535.190. If a tenant appears before a judge in an action for nonpayment of rent, the court shall inquire, on the record, about the tenant's current residence and current place of employment.

535.195. If the court does not follow the statutory time line for providing a court date and disposing of a landlord-tenant action for eviction, the court costs for the entire case shall be automatically waived by the court.

535.200. **1.** In the twenty-second judicial circuit, upon adoption of an ordinance by the city of St. Louis providing for expenditure of city funds for such purpose, a majority of the circuit judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the mayor of the city of St. Louis, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of the city of St. Louis, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge.

Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at city expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting the right of [a trial de novo or] an appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by the city of St. Louis.

535.210. 1. In the sixteenth judicial circuit, upon adoption of an ordinance by Jackson County providing for expenditure of county funds for such purpose, a majority of the circuit court judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of Jackson County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of Jackson County, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit court, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court, shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at county expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an

associate circuit judge under section 535.110. The procedures for perfecting the right of [a trial de novo or] **an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days from the date of service. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by Jackson County.

535.300. 1. A landlord may not demand or receive a security deposit in excess of [two] **three** months' rent.

2. Within thirty days after the date of termination of the tenancy, the landlord shall:

(1) Return the full amount of the security deposit; or

(2) Furnish to the tenant a written itemized list of the damages for which the security deposit or any portion thereof is withheld, along with the balance of the security deposit. The landlord shall have complied with this subsection by mailing such statement and any payment to the last known address of the tenant.

3. The landlord may withhold from the security deposit only such amounts as are reasonably necessary for the following reasons:

(1) To remedy a tenant's default in the payment of rent due to the landlord, pursuant to the rental agreement;

(2) To restore the dwelling unit to its condition at the commencement of the tenancy, ordinary wear and tear excepted; or

(3) To compensate the landlord for actual damages sustained as a result of the tenant's failure to give adequate notice to terminate the tenancy pursuant to law or the rental agreement; provided that the landlord makes reasonable efforts to mitigate damages.

4. The landlord shall give the tenant or his representative reasonable notice in writing at his last known address or in person of the date and time when the landlord will inspect the dwelling unit following the termination of the rental agreement to determine the amount of the security deposit to be withheld, and the inspection shall be held at a reasonable time. The tenant shall have the right to be present at the inspection of the dwelling unit at the time and date scheduled by the landlord.

5. If the landlord wrongfully withholds all or any portion of the security deposit in violation of this section, the tenant shall recover as damages not more than twice the amount wrongfully withheld.

6. Nothing in this section shall be construed to limit the right of the landlord to recover actual damages in excess of the security deposit, or to permit a tenant to apply or deduct any portion of the security deposit at any time in lieu of payment of rent.

7. As used in this section, the term "security deposit" means any deposit of money or property, however denominated, which is furnished by a tenant to a landlord to secure the performance of any part of the rental agreement, including damages to the dwelling unit. This term does not include any money or property denominated as a deposit for a pet on the premises."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fraker offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636, Page 2, Line 9, by striking all of said line and inserting in lieu thereof the following:

"days following taking possession of the premises and further provided that if personal property is left by the tenant in or at the dwelling bearing a conspicuous permanent label or marking identifying it as the property of a third party, the landlord shall notify the third party by certified mail to the address shown on the label or marking, with a return receipt requested. The third party shall be given an opportunity to recover such property within five business days of the date such notice is received. If the landlord is unable to notify the third party, the landlord may remove and dispose of such property and shall incur no liability for any loss or damage thereto."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraker, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Schoeller offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636, Page 6, Lines 16 and 17, by deleting said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 2 to House Amendment No. 2** was adopted.

Representative McGhee offered **House Amendment No. 3 to House Amendment No. 2.**

House Amendment No. 3
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636, Page 10, Line 15, by inserting after all of said line the following:

‘Further amend said bill, Page 16, Section 211.444, Line 20, by inserting after all of said section and line the following:

“250.140. 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and owner of the premises receiving such service and, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 rendering such services shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable for sums due for more than ninety days]. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider **or premises owner** who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages **for termination of such service, nor shall it be deemed constructive eviction or forcible entry and detainer.**

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such

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application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Loehner moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Funderburk	Holsman	Hughes	Hummel	McDonald
McManus	Meadows	Newman	Nolte	Riddle
Schieffer	Wyatt	Mr Speaker		

Representative McGhee moved that **House Amendment No. 3 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative White offered **House Amendment No. 4 to House Amendment No. 2.**

House Amendment No. 4
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636, Page 2, Lines 19-21, by deleting all of said section and lines; and

Further amend said amendment, Section 534.275, Page 2, Lines 32-36, to Page 3, Lines 1-5, by deleting all of said section and lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative White, **House Amendment No. 4 to House Amendment No. 2** was adopted.

On motion of Representative Cross, **House Amendment No. 2, as amended**, was adopted.

Representative Brandom offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 636, Page 34, Section 483.015, Line 35, by inserting after all of said section and line the following:

“6. The circuit clerks in the thirty-third judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerks in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerks in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brandom moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Dieckhaus offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 20, by inserting after all of said section the following:

“313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) **“Credit instrument”, a writing which evidences a gaming debt that is owed to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission, and includes any writing taken in consolidation, redemption or payment of a previous credit instrument;**

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(8)] (9) "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

[(9)] (10) "Fiscal year" shall for the purposes of subsections 3 and 4 of section 313.820 mean the fiscal year of a home dock city or county;

[(10)] (11) "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(11)] (12) "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(12)] (13) "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(13)] (14) "Games of chance", any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(14)] (15) "Games of skill", any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

[(15)] (16) "Gross receipts", the total sums wagered by patrons of licensed gambling games;

[(16)] (17) "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(17)] (18) "Licensee", any person licensed under sections 313.800 to 313.850;

~~[(18)]~~ (19) "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

~~[(19)]~~ (20) "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill [referred to in subdivision (14) of] **defined in** subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

- (1) Is it in the best interest of gaming to allow the game; and
- (2) Is the gambling game a game of chance or a game of skill? All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

- (1) The recommended number of licensed excursion gambling boats operating in such city or county;
- (2) The recommended licensee or licensees operating in such city or county;
- (3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;
- (4) The city or county proposed sharing of revenue with any other municipality;
- (5) Any other information such city or county deems necessary; and
- (6) Any other information the commission may determine is necessary. The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

- (1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

- (2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. Each applicant shall establish by clear and convincing evidence its fitness to be licensed. Without limitation, the commission may deny a license based solely on the fact that there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established [his] **the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. **Except as provided in section 313.817**, a licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed, **other than a credit instrument**, must be deposited within twenty-four hours. The commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

☐ YES

☐ NO .

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306 and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state of gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games' operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money or **credit instrument** of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit

enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check, **obtain a credit instrument** or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. Credit instruments executed on or after August 28, 2012, are valid contracts creating debt that are enforceable by legal process. A licensee may accept credit instruments from a qualified person in exchange for physical tokens or chips that can be wagered on gambling games at the licensee's excursion gambling boat, or money that can be exchanged for electronic or physical tokens, chips or other forms of credit to be wagered on gambling games at the licensee's excursion gambling boat. "Qualified person" means a person who has completed a credit application provided by the licensee and who is determined by the licensee, after performing a credit check and applying usual standards to establish creditworthiness, to qualify for a line of credit of at least five thousand dollars. Approval to accept a credit instrument from a qualified person shall be made by the holder of an occupational license, except that such approval shall not be made less than twenty-four hours after the determination that a person is a qualified person. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. A lost or destroyed credit instrument shall remain valid and enforceable if the party seeking enforcement can prove its existence and terms. Any person who violates this subsection is subject only to the penalties provided in section 313.812. The commission shall have no authority to determine the validity or enforceability of a credit instrument or the enforceability of the debt that the credit instrument represents. Failure to comply with any regulation promulgated by the commission shall not impact the validity or enforceability of the credit instrument or the debt that the credit instrument represents."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sater moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Funderburk	Holsman	Hughes	McDonald	McManus
Meadows	Newman	Nolte	Riddle	Schieffer
Taylor	Thomson	Wyatt		

On motion of Representative Dieckhaus, **House Amendment No. 4** was adopted by the following vote:

AYES: 078

Allen	Atkins	Barnes	Brandom	Brown 50
Brown 116	Carter	Cierpiot	Colona	Conway 14
Curtman	Davis	Day	Dieckhaus	Diehl
Elmer	Fisher	Fitzwater	Fraker	Gosen
Guernsey	Haefner	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Koenig	Kratky	Lair	Lampe
Largent	Leara	Lichtenegger	May	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	Montecillo
Nance	Neth	Nichols	Pace	Parkinson
Pierson	Redmon	Richardson	Rizzo	Scharnhorst
Schatz	Schneider	Sifton	Silvey	Smith 71
Smith 150	Sommer	Spreng	Stream	Swearingen
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber	Zerr	Mr Speaker		

NOES: 074

Anders	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brattin	Brown 85	Burlison
Carlson	Casey	Cauthorn	Conway 27	Cookson
Cox	Crawford	Cross	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Flanigan
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Hampton	Harris	Hodges	Johnson	Kelly 24
Kirkton	Klippenstein	Korman	Lant	Lasater
Lauer	Leach	Lochner	Long	Marshall
McCaherty	McCreery	McNeil	Molendorp	Morgan
Oxford	Phillips	Pollock	Quinn	Reiboldt
Rowland	Ruzicka	Sater	Schad	Schieber

Schoeller	Schupp	Shively	Shumake	Solon
Still	Swinger	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Funderburk	Grisamore	Hughes	McDonald	Meadows
Nasheed	Newman	Nolte	Riddle	Schieffer
Wyatt				

Representative Schad offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 636, Page 3, Section 32.056, Line 19, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a [web page] **website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) [Any photographs of the offender] **A current photograph of the individual, which shall be taken by the registering official;**
- (6) [A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)] The nature and dates of all offenses qualifying the offender to register;

[(8)] (7) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)] (8) Compliance status of the offender with the provisions of section 589.400 to 589.425; and

[(10)] (9) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender; **and**

(10) The status of the offender's term of incarceration, probation, or parole.

5. **Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:**

- (1) **There is no other offense for which the offender is required to register;**
- (2) **The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and**
- (3) **No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.**

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website."; and

Further amend said bill, Page 59, Section 570.120, Line 78, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is [exempted] **exempt** from registering under subsection 6, 8, or 10 of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia**, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within [three] **five business** days of [conviction] **adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile described in subdivision (6) of subsection 1 of this section, within five business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county

or city not within a county within [three] **five business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official[, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested].

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

- (1) All offenses requiring registration are reversed, vacated or set aside;
- (2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender;**
- (3) The registrant is **exempt or is** no longer required to register [and his or her name shall be removed from the registry] under the provisions of subsection 6, **8, or 10** this section; or
- (4) The [registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the] court orders the removal [or exemption] of such person from the registry **under subsection 7, 9, or 10 of this section or section 589.401.**

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

- (1) **Felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child; or**
- (2) **Nonsexual child abuse that was committed under section 568.060; or**
- (3) **Kidnapping of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child,**

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry **or who otherwise would be required to register** for [being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child] **any offense listed in subsection 6 of this section** shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

8. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

- (1) **Sexual misconduct in the second degree under section 566.093; or**
- (2) **Sexual misconduct in the third degree under section 566.095; or**
- (3) **Promoting obscenity in the first degree under section 573.020; or**
- (4) **Promoting obscenity in the second degree under section 573.030; or**
- (5) **Furnishing pornographic materials to minors under section 573.040; or**
- (6) **Public display of explicit sexual material under section 573.060; or**
- (7) **Coercing acceptance of obscene material under section 573.065,**

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.] 9. Any person currently on the sexual offender registry **or who otherwise would be required to register** for [having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing,

attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register] **any offense listed in subsection 8 of this section shall be removed from the registry; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.**

[8.] **10.** Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.] **11.** (1) The court may grant such relief under subsection [7 or 8] **9 or 10** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.] **12.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education [and is not entitled to relief under the provisions of subsection 9 of this section]. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency [and is not entitled to the provisions of subsection 9 of this section].

[11.] **13.** Any person whose name is removed or **who is** exempted from the sexual offender registry under subsection [7 or 8] **6, 7, 8, 9, or 10** of this section shall [no longer] **not** be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

14. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

589.401. 1. Any person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name and information removed from the sexual offender registry; except that, any person having multiple offenses requiring registration under sections 589.400 to 589.425 shall not be eligible for removal from the registry until all applicable time requirements under subsections 2 and 3 of this section for all such offenses have elapsed. If the offense requiring registration was adjudicated in another state, the District of Columbia, a foreign country, or a territory, tribal, or military jurisdiction such person may file a petition in the division of the circuit court in the county in which such person resides.

2. A person who is required to register under the provisions of sections 589.400 to 589.425 for any of the following offenses or their equivalent in any other state, territory, or the District of Columbia, or foreign country,

or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if twenty years has not elapsed since the date the person was required to register:

(1) Kidnapping when a sexual offense under chapter 566 was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under chapter 566 and when the victim was less than eighteen years of age and excluding kidnapping by a parent or guardian under section 565.110;

(2) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(3) Forcible rape under section 566.030;

(4) Forcible sodomy under section 566.060;

(5) Sexual trafficking of a child under section 566.212;

(6) Sexual trafficking of a child under the age of twelve, under section 566.213; or

(7) Child molestation in the first degree when it is a class A felony under section 566.067.

3. A person who is required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of this section or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if ten years has not elapsed since the date the person was required to register.

4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for one year immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for one year immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Date of birth;

(e) Last four digits of the Social Security number;

(f) Address;

(g) Place of employment, school, or volunteer status;

(2) The offense that required the petitioner to register;

(3) The date the petitioner pled to, was convicted of, or was adjudicated for the offense;

(4) The date the petitioner was required to register;

(5) The date the petitioner actually registered;

(6) The case number and court, including county, that entered the original order for the adjudicated sex offense;

(7) The petitioner's fingerprints on an applicant fingerprint card;

(8) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and

(9) That the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking removal, of the petition and an opportunity to present evidence in opposition to the facts alleged in the petition. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner, including but not limited to criminal history records under section

43.530, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. Except as otherwise provided under subsection 12 of this section, the court shall enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from any corresponding state or local law enforcement registry or website unless it finds that the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction:

- (1) Has been adjudicated of or has charges pending for failure to register;
- (2) Has been adjudicated of any additional offense which would require registration as a sexual offender and which occurred after the date such person initially registered as a sexual offender;
- (3) Has charges pending for any offense which would require registration as a sexual offender;
- (4) Has not successfully completed any required periods of supervised release, probation, or parole; and
- (5) Has not successfully completed all appropriate sexual offender treatment, including any court-ordered treatment and any treatment ordered by the department of corrections.

12. For any person who has been convicted of a crime listed in subsection 2 of this section, the court may enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from corresponding state or local law enforcement registry or website upon the filing of a petition for removal and submission of the petitioner's completed risk assessment evaluation conducted by a licensed mental health professional unless it finds that subdivisions (1) to (5) of subsection 11 apply to the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction.

13. In order to prove the facts required by subdivisions (1), (2), and (3) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol and the Federal Bureau of Investigation.

14. Except as provided in subsection 14 of this section, if it is found that the petition is denied, a successive petition requesting such relief may be filed under this section one year after the date of such denial unless such denial is based on a subsequent conviction of a sex offense or failure to register, in which case no successive petition shall be filed.

15. If it is found that the petition is denied solely on the basis of the fact that the petitioner has pending charges and those charges are subsequently dismissed or the petitioner is subsequently acquitted of such pending charges, the petitioner may file a new petition under this section at any time after the dismissal or acquittal of such pending charges.

16. If the court finds that the petitioner is entitled to have his or her name and information removed from the sexual offender registry, the court shall enter judgment directing the respondents to remove the petitioner's name and information from all law enforcement sexual offender registries and public websites within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to judgment requiring his or her name or information to be removed from the sexual offender registry shall not be required to register or report under sections 589.400 to 589.425 unless such person is required to register and report for an offense that was committed after the judgment of removal was entered.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a [web page] website on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. Except as provided by subsections 5, 6, and 7 of this section, the registered sexual offender search [shall] may make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. Only the information listed in this subsection [shall] may be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;

- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) [Any photographs of the offender] **A current photograph of the individual, which shall be taken by the registering official;**
- (6) [A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7)] The nature and dates of all offenses qualifying the offender to register;
- [(8)] (7) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- [(9)] (8) Compliance status of the offender with the provisions of sections 589.400 to 589.425; [and]
- [(10)] (9) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender; **and**
- (10) The status of the offender's term of incarceration, probation, or parole.**

4. The chief law enforcement officer of any county or city not within a county may [publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county] **give notice to any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, any child care facility licensed under chapter 210, or any child care facility defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, that a sex offender is residing, working, or attending school within a five mile radius of such school or child care facility. Such notice shall only include the sex offender information described in subsection 3 of this section.**

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

- (1) There is no other offense for which the offender is required to register;
- (2) The offender is not a repeat offender as defined in section 589.404; and
- (3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website.

589.403. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections [or], any mental health institution, **private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall:

(1) **If the person plans to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release, to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release]. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.]; **or**

(2) **If the person does not reside or plan to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to

the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within five business days as directed, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.405. **1. Any person [to whom subsection 1 of section 589.400 applies] who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall [obtain the address where the person expects to reside upon discharge, parole or release and shall] **make it a condition of probation that the offender** report, within [three] **five** business days[, such address] to the chief law enforcement official of the county **of adjudication** or city not within a county [where the person expects to reside, upon discharge, parole or release.] **of adjudication, to complete the initial registration. If such offender is not placed on probation, the court shall:**

(1) If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;

(2) If the offender does not reside in Missouri, the court shall:

(a) Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and

(b) Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.

2. If the offender refuses to complete and sign the registration information as outlined in subdivision (1) of subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subdivision (2) of subsection 1 of this section, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.407. **1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol or other format approved by the Missouri state highway patrol. Such form shall consist of a statement in writing, including the signature of the offender and shall include, but is not limited to the following:**

(1) [A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;] The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;

(2) The date of birth of the individual to include any alias dates of birth used;

(3) The address of the individual's residence or, if the individual is homeless, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;

(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;

(5) The name and address of any institutions of higher education that the individual attends;

(6) The Social Security number of the individual including any alias Social Security numbers used;

(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;

(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;

(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;

(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim and the offender at the time of the offense;

(13) If the offender was required to successfully complete appropriate sexual offender treatment, including any court-ordered treatment or any treatment ordered by the department of corrections, the date that the offender successfully completed such treatment, or a statement, that as of the date of registration, the offender has not yet successfully completed the required sexual offender treatment or has failed to successfully complete the required sexual offender treatment;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates; and

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

[2.] (1) The fingerprints, palm prints, and a photograph of the person; [and]

(2) A current photograph of the individual to be taken by the registering official; and

(3) A DNA sample from the individual, if a sample has not already been obtained.

[2.] 3. The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card; and

(2) A document verifying proof of the offender's residency; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles].

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

6. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and if any inaccuracies are found provide proof of the information in question. The registering law enforcement official shall, within three business days of receipt of proof from the offender regarding the inaccuracy, correct the inaccuracy on its law enforcement registry and on its public website, if any, and shall notify the Missouri state highway patrol of the change in information. The Missouri state highway patrol shall, within three business days of notification by the registering law enforcement official, correct the inaccuracy on its law enforcement registry and on its public website.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425, and a statement to such effect shall be included on the form that the individual is required to sign at each registration.

589.410. 1. The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. Upon receipt of each completed offender registration form, the Missouri state highway patrol shall review the information contained in the form to determine whether, according to the form, the offender will be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the registration form, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than [three] **five** business days [after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,] appear in person to the chief law enforcement officer of the county or city not within a county [and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days] **if there is a change to any of the following information:**

- (1) **Name;**
- (2) **Residence;**
- (3) **Employment;**
- (4) **Student status; or**
- (5) **A termination to any of the items listed in this subsection.**

2. Any person required to register under sections 589.400 to 589.425 shall, within five business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

- (1) **Vehicle information;**
- (2) **Temporary residence information; or**
- (3) **Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.**

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

4. The Missouri state highway patrol shall review any changes received from registering officials under subsection 3 of this section to determine whether the offender will now be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the changes, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

[2.] 5. If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state, **or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state, **or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state, **or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall report in person to the chief law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

- (1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;
- (2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and
- (3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.] 6. In addition to the requirements of subsections 1 [and], 2, **and 5** of this section, [all registrants] **any person required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction**, shall report [semiannually] **annually** in person in the month of their birth [and six months thereafter] to the chief law enforcement [agency]

official to verify the information contained in their statement made pursuant to section 589.407]. All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency] **and six months thereafter shall report by mail on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.**

7. In addition to the requirements of subsections 1, 2, and 5 of this section, any person required to register under the provisions of sections 589.400 to 589.425 for any offenses listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition, such offenders shall report by mail ninety days after each in-person report on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.

[5.] **8. In addition to the requirements of subsections 1 [and], 2, and 5 of this section, all Missouri registrants who work, including as a volunteer or unpaid intern, or attend any school [or training], whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.**

[6. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.]

9. Whenever any person reports under the provisions of this section in person and in the month of their birth, the registering law enforcement official shall take a current photograph of the offender."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 5** was adopted.

Representative Franklin offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 636, Page 5, Section 67.136, Line 8, by inserting after all of said section, the following:

"67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Board", the board of directors of a district;
- (3) "District", a law enforcement district organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**;
- (4) **"Registered voter", any voter registered within the boundaries of the district or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification [without a charter form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a] **and each** registered voter [resident] within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section**, each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898] **67.1894** the district shall have the following general powers:

- (1) To contract with the [local] **county** sheriff's department for the provision of services;
- (2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;
- (3) To fix compensation of its employees and contractors;
- (4) To purchase any personal property necessary or convenient for its activities;
- (5) To collect and disburse funds for its activities; and
- (6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. [The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board] **Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question.”; and**

Further amend said bill, Page 59, Section 570.120, Line 78, by inserting after all of said section the following:

“[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or

privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.]

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and

conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES ☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.]

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the Law Enforcement District to adopt property taxes be terminated?

☐ YES ☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES ☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that

a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 6** was adopted.

Representative Talboy offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 636, Page 38, Section 488.5375, Line 10, by inserting after all of said section and line, the following:

"491.075. 1. A statement made by a child under the age of fourteen, **or a vulnerable person**, relating to an offense under chapter 565, 566, 568 or 573, performed [with or on a child] by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

(1) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability; and

(2) (a) The child **or vulnerable person** testifies at the proceedings; or

(b) The child **or vulnerable person** is unavailable as a witness; or

(c) The child **or vulnerable person** is otherwise physically available as a witness but the court finds that the significant emotional or psychological trauma which would result from testifying in the personal presence of the defendant makes the child **or vulnerable person** unavailable as a witness at the time of the criminal proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of fourteen, **or a vulnerable person**, who is alleged to be victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child **or vulnerable person** is available to testify regarding the offense.

3. A statement may not be admitted under this section unless the prosecuting attorney makes known to the accused or the accused's counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused's counsel with a fair opportunity to prepare to meet the statement.

4. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.

5. **For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of fourteen years of age.**"; and

Further amend said bill, Page 56, Section 559.105, Line 28, by inserting after all of said section and line, the following:

“565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member, **including any child who is a member of the family or household**, or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member, **including any child who is a member of the family or household**, or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, and he or she:

- (1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
 - (2) Recklessly causes serious physical injury to such family or household member; or
 - (3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.
2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member, **including any child who is a member of the family or household**, or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010 and:

- (1) The person attempts to cause or recklessly causes physical injury to such family or household member; or
- (2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or
- (3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or
- (4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or
- (5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or
- (6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members.”; and

Further amend said bill, Page 57, Section 566.083, Line 23, by inserting after all of said section and line, the following:

“568.060. 1. [A person commits the crime of abuse of a child if such person:

- (1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old; or
- (2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism,

fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

(1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony; or

(2) A child dies as a result of injuries sustained from conduct chargeable pursuant to the provisions of this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification] **As used in this section, the following terms shall mean:**

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is a class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence.

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to

taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 7** was adopted.

Representative Leara offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 20, by inserting after all of said section and line, the following:

“213.200. 1. This section shall be known and may be cited as the "Whistleblower's Protection Act".

2. As used in this section, the following terms shall mean:

(1) "Because" or "because of", as it relates to a decision or action, the person's status as a protected person was a motivating factor;

(2) "Employer", a person engaged in an industry affecting commerce who has one or more employees for each working day in each of twenty or more calendar weeks in a current or preceding calendar year, but does not include the state or any public entity with the status of a governmental body, or any political or civil subdivision thereof, or corporations and associations owned and operated by religious or sectarian groups;

(3) "Proper authorities", a governmental or law enforcement agency, or an officer or the employee's human resources representative employed by the employer;

(4) "Protected person", a person who has reported to the proper authorities an unlawful act of the employer or its agent or serious misconduct of the employer or its agent that violates a clear mandate of public policy as articulated in a constitutional provision, statute, regulation promulgated under statute, or rule created by a governmental body, or a person who has refused to carry out a directive issued by an employer or its agent that if completed would be a violation of the law. Additionally, a person who engages in conduct otherwise protected by statute or regulation is a protected person.

3. This section is intended to codify the existing common law exceptions to the at-will employment doctrine, and to limit their future expansion by the courts. This section shall provide the exclusive remedy for any and all unlawful employment practices articulated herein and hereby abrogates any common law causes of action to the contrary.

4. It shall be an unlawful employment practice for an employer, as defined in subdivision (2) of subsection 2 of this section, to discharge or retaliate against an individual defined as a protected person in this section, because of that person's status as a protected person.

5. A protected person aggrieved by a violation of this section shall have a private right of action for damages for violations of this section which may be filed in a circuit court of competent jurisdiction. The Missouri human rights commission shall not have jurisdiction to review or adjudicate claims brought pursuant to this section. The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual and punitive damages.

6. Any party to any action initiated under this section may demand a trial by jury.

7. The court may award to the plaintiff actual and punitive damages. An award of damages shall include all future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses, and punitive damages awarded under this section.

8. The total amount of punitive damages awarded by the court for each complainant shall not exceed:

(1) In the case of a respondent who has fewer than one hundred one employees in each of twenty or more calendar weeks in the current or preceding calendar year, fifty thousand dollars;

(2) In the case of a respondent who has more than one hundred and fewer than two hundred one employees in each of twenty or more calendar weeks in the current or preceding calendar year, one hundred thousand dollars;

(3) In the case of a respondent who has more than two hundred and fewer than five hundred one employees in each of twenty or more calendar weeks in the current or preceding calendar year, two hundred thousand dollars;

(4) In the case of a respondent who has more than five hundred employees in each of twenty or more calendar weeks in the current or preceding calendar year, three hundred thousand dollars.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 8** was adopted by the following vote:

AYES: 074

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Loehner	McCaherty	McGhee	McNary
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Ruzicka	Schad	Schatz	Schoeller
Shumake	Smith 150	Sommer	Stream	Wallingford
White	Wieland	Wright	Zerr	

NOES: 073

Anders	Atkins	Aull	Barnes	Berry
Black	Brattin	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Dugger	Ellinger
Ellington	Fallert	Franklin	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	Largent
Lasater	Leach	Marshall	May	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Oxford	Pace	Pierson	Pollock
Quinn	Rizzo	Rowland	Sater	Schieber
Shively	Sifton	Silvey	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Walton Gray	Webb	Webber
Wells	Weter	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 016

Dieckhaus	Funderburk	Guernsey	Holsman	Hughes
Long	McDonald	Meadows	Newman	Riddle
Scharnhorst	Schieffer	Schneider	Schupp	Smith 71
Mr Speaker				

Representative Hinson offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 636, Page 5, Section 67.136, Line 8, by inserting after all of said line the following:

“67.320. 1. Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants **or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants** may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. **Except as provided in subsection 5 of this section** in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. **In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Day moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Higdon	Hoskins	Hough	Houghton	Johnson

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Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Hodges	Hubbard	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Swinger	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 021

Diehl	Funderburk	Guernsey	Harris	Hinson
Holsman	Hughes	Jones 63	McDonald	McGhee
Meadows	Molendorp	Nasheed	Newman	Riddle
Scharnhorst	Schieffer	Schneider	Smith 71	Talboy
Mr Speaker				

On motion of Representative Hinson, **House Amendment No. 9** was adopted.

Representative Cierpiot offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 636, Page 5, Section 67.2010, Line 16, by inserting immediately after said line the following:

“70.441. 1. As used in this section, the following terms have the following meanings:

(1) "Agency", the bi-state development agency created by compact under section 70.370;

(2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) "Person", any individual, firm, copartnership, corporation, association or company; and

(5) "Sound production device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.

2. In interpreting or applying this section, the following provisions shall apply:

(1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if performed by an officer, employee or designated agent of the agency acting within the scope of his or her employment or agency;

(2) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules; and

(3) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.

3. (1) No person shall use or enter upon the light rail conveyances of the agency without payment of the fare or other lawful charges established by the agency. Any person on any such conveyance must have properly validated fare media in his possession. This ticket must be valid to or from the station the passenger is using, and must have been used for entry for the trip then being taken;

(2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare media to gain entry to the facilities or conveyances of, or make use of the services of, the agency, except as provided, authorized or sold by the agency and in accordance with any restriction on the use thereof imposed by the agency;

(3) No person shall enter upon parking lots designated by the agency as requiring payment to enter, either by electronic gate or parking meters, where the cost of such parking fee is visibly displayed at each location, without payment of such fees or other lawful charges established by the agency;

(4) Except for employees of the agency acting within the scope of their employment, no person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass, badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to or use of the facilities, conveyances or services of the agency without the written permission of an authorized representative of the agency;

(5) No person shall put or attempt to put any paper, article, instrument or item, other than a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare media issued by the agency and valid for the place, time and manner in which used, into any fare box, pass reader, ticket vending machine, parking meter, parking gate or other fare collection instrument, receptacle, device, machine or location;

(6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with this section shall be confiscated;

(7) No person may perform any act which would interfere with the provision of transit service or obstruct the flow of traffic on facilities or conveyances or which would in any way interfere or tend to interfere with the safe and efficient operation of the facilities or conveyances of the agency;

(8) All persons on or in any facility or conveyance of the agency shall:

(a) Comply with all lawful orders and directives of any agency employee acting within the scope of his employment;

(b) Obey any instructions on notices or signs duly posted on any agency facility or conveyance; and

(c) Provide accurate, complete and true information or documents requested by agency personnel acting within the scope of their employment and otherwise in accordance with law;

(9) No person shall falsely represent himself or herself as an agent, employee or representative of the agency;

(10) No person on or in any facility or conveyance shall:

(a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or unsanitary condition, including, but not limited to, spitting and urinating, except in facilities provided;

(b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and restaurants;

(c) Enter or remain in any facility or conveyance while his ability to function safely in the environment of the agency transit system is impaired by the consumption of alcohol or by the taking of any drug;

(d) Loiter or stay on any facility of the agency;

(e) Consume foods or liquids of any kind, except in those areas specifically authorized by the agency;

(f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except in those areas or locations specifically authorized by the agency; or

(g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or in a facility or conveyance;

(11) No weapon or other instrument intended for use as a weapon may be carried in or on any facility or conveyance, except for law enforcement personnel. For the purposes hereof, a weapon shall include, but not be limited to, a firearm, switchblade knife, sword, or any instrument of any kind known as blackjack, billy club, club, sandbag, metal knuckles, leather bands studded with metal, wood impregnated with metal filings or razor blades; except that this

subdivision shall not apply to a rifle or shotgun which is unloaded and carried in any enclosed case, box or other container which completely conceals the item from view and identification as a weapon;

(12) No explosives, flammable liquids, acids, fireworks or other highly combustible materials or radioactive materials may be carried on or in any facility or conveyance, except as authorized by the agency;

(13) No person, except as specifically authorized by the agency, shall enter or attempt to enter into any area not open to the public, including, but not limited to, motorman's cabs, conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment;

(14) No person may ride on the roof, the platform between rapid transit cars, or on any other area outside any rapid transit car or bus or other conveyance operated by the agency;

(15) No person shall extend his hand, arm, leg, head or other part of his or her person or extend any item, article or other substance outside of the window or door of a moving rapid transit car, bus or other conveyance operated by the agency;

(16) No person shall enter or leave a rapid transit car, bus or other conveyance operated by the agency except through the entrances and exits provided for that purpose;

(17) No animals may be taken on or into any conveyance or facility except the following:

(a) An animal enclosed in a container, accompanied by the passenger and carried in a manner which does not annoy other passengers; and

(b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs accompanying trainers carrying a certificate of identification issued by a dog school;

(18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or safety of others or without due caution and circumspection, or at a speed in such a manner as to be likely to endanger persons or property on facilities of the agency. The speed limit on parking lots and access roads shall be posted as fifteen miles per hour unless otherwise designated.

4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any violation of this section shall constitute a misdemeanor, and any person committing a violation thereof shall be subject to arrest and, upon conviction in a court of competent jurisdiction, shall pay a fine in an amount not less than twenty-five dollars and no greater than two hundred fifty dollars per violation, in addition to court costs. Any default in the payment of a fine imposed pursuant to this section without good cause shall result in imprisonment for not more than thirty days;

(2) Unless a greater penalty is provided by the laws of the state, any person convicted a second or subsequent time for the same offense under this section shall be guilty of a misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or both such fine and imprisonment;

(3) Any person failing to pay the proper fare, fee or other charge for use of the facilities and conveyances of the agency shall be subject to payment of such charge as part of the judgment against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to the appropriate agency official;

(4) All juvenile offenders violating the provisions of this section shall be subject to the jurisdiction of the juvenile court as provided in chapter 211;

(5) As used in this section, the term "conviction" shall include all pleas of guilty and findings of guilt.

5. Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state development agency, as described in subdivision (3) of subsection 4 of this section, shall, in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, shall be required to reimburse costs attributable to the enforcement, investigation, and prosecution of such offense by the bi-state development agency. The court shall direct the reimbursement proceeds to the appropriate agency official.

6. (1) Stalled or disabled vehicles may be removed from the roadways of the agency property by the agency and parked or stored elsewhere at the risk and expense of the owner;

(2) Motor vehicles which are left unattended or abandoned on the property of the agency for a period of over seventy-two hours may be removed as provided for in section 304.155, except that the removal may be authorized by personnel designated by the agency under section 70.378."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 10** was adopted.

Representative Franz offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 636, Page 15, Section 211.177, Line 8, by inserting after all of said section and line, the following:

“211.393. 1. For purposes of this section, the following words and phrases mean:

(1) "County retirement plan", any public employees' defined benefit retirement plan established by law that provides retirement benefits to county or city employees, but not to include the county employees' retirement system as provided in sections 50.1000 to 50.1200;

(2) "Juvenile court employee", any person who is employed by a juvenile court in a position normally requiring one thousand hours or more of service per year;

(3) "Juvenile officer", any juvenile officer appointed pursuant to section 211.351;

(4) "Multicounty circuit", all other judicial circuits not included in the definition of a single county circuit;

(5) "Single county circuit", a judicial circuit composed of a single county of the first classification, including the circuit for the city of St. Louis;

(6) "State retirement plan", the public employees' retirement plan administered by the Missouri state employees' retirement system pursuant to chapter 104.

2. Juvenile court employees employed in a single county circuit shall be subject to the following provisions:

(1) The juvenile officer employed in such circuits on and prior to July 1, 1999, shall:

(a) Be state employees on that portion of their salary received from the state pursuant to section 211.381, and in addition be county employees on that portion of their salary provided by the county at a rate determined pursuant to section 50.640;

(b) Receive state-provided benefits, including retirement benefits from the state retirement plan, on that portion of their salary paid by the state and may participate as members in a county retirement plan on that portion of their salary provided by the county except any juvenile officer whose service as a juvenile court officer is being credited based on all salary received from any source in a county retirement plan on June 30, 1999, shall not be eligible to receive state-provided benefits, including retirement benefits, or any creditable prior service as described in this section but shall continue to participate in such county retirement plan;

(c) Receive creditable prior service in the state retirement plan for service rendered as a juvenile court employee prior to July 1, 1999, to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service, if such service was rendered in a single county circuit or a multicounty circuit; except that if the juvenile officer forfeited such credit in such county retirement plan prior to being eligible to receive creditable prior service under this paragraph, they may receive service under this paragraph;

(d) Receive creditable prior service pursuant to paragraph (c) of this subdivision even though they already have received credit for such creditable service in a county retirement plan if they elect to forfeit their creditable service from such plan in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service, determined as if the person were going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

(e) Receive creditable prior service for service rendered as a juvenile court employee in a multicounty circuit in a position that was financed in whole or in part by a public or private grant, pursuant to the provisions of paragraph (e) of subdivision (1) of subsection 3 of this section;

(2) Juvenile officers who begin employment for the first time as a juvenile officer in a single county circuit on or after July 1, 1999, shall:

(a) Be county employees and receive salary from the county at a rate determined pursuant to section 50.640 subject to reimbursement by the state as provided in section 211.381; and

(b) Participate as members in the applicable county retirement plan subject to reimbursement by the state for the retirement contribution due on that portion of salary reimbursed by the state;

(3) All other juvenile court employees who are employed in a single county circuit on or after July 1, 1999:

(a) Shall be county employees and receive a salary from the county at a rate determined pursuant to section 50.640; and

(b) Shall, in accordance with their status as county employees, receive other county-provided benefits including retirement benefits from the applicable county retirement plan if such employees otherwise meet the eligibility requirements for such benefits;

(4) (a) The state shall reimburse each county comprised of a single county circuit for an amount equal to the greater of:

a. Twenty-five percent of such circuit's total juvenile court personnel budget, excluding the salary for a juvenile officer, for calendar year 1997, and excluding all costs of retirement, health and other fringe benefits; or

b. The sum of the salaries of one chief deputy juvenile officer and one deputy juvenile officer class I, as provided in section 211.381;

(b) The state may reimburse a single county circuit up to fifty percent of such circuit's total calendar year 1997 juvenile court personnel budget, subject to appropriations. The state may reimburse, subject to appropriations, the following percentages of such circuits' total juvenile court personnel budget, expended for calendar year 1997, excluding the salary for a juvenile officer, and excluding all costs of retirement, health and other fringe benefits: thirty percent beginning July 1, 2000, until June 30, 2001; forty percent beginning July 1, 2001, until June 30, 2002; fifty percent beginning July 1, 2002; however, no county shall receive any reimbursement from the state in an amount less than the greater of:

a. Twenty-five percent of the total juvenile court personnel budget of the single county circuit expended for calendar year 1997, excluding fringe benefits; or

b. The sum of the salaries of one chief deputy juvenile officer and one deputy juvenile officer class I, as provided in section 211.381;

(5) Each single county circuit shall file a copy of its initial 1997 and each succeeding year's budget with the office of the state courts administrator after January first each year and prior to reimbursement. The office of the state courts administrator shall make payment for the reimbursement from appropriations made for that purpose on or before July fifteenth of each year following the calendar year in which the expenses were made. The office of the state courts administrator shall submit the information from the budgets relating to full-time juvenile court personnel from each county to the general assembly;

(6) Any single county circuit may apply to the office of the state courts administrator to become subject to subsection 3 of this section, and such application shall be approved subject to appropriation of funds for that purpose;

(7) The state auditor may audit any single county circuit to verify compliance with the requirements of this section, including an audit of the 1997 budget.

3. Juvenile court employees in multicounty circuits shall be subject to the following provisions:

(1) Juvenile court employees including detention personnel hired in 1998 in those multicounty circuits who began actual construction on detention facilities in 1996, employed in a multicounty circuit on or after July 1, 1999, shall:

(a) Not be state employees unless they receive all salary from the state, which shall include any salary as provided in section 211.381 in addition to any salary provided by the applicable county or counties during calendar year 1997 and any general salary increase approved by the state of Missouri for fiscal year 1999 and fiscal year 2000;

(b) Participate in the state retirement plan;

(c) Receive creditable prior service in the state retirement plan for service rendered as a juvenile court employee prior to July 1, 1999, to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service if such service was rendered in a single county circuit or a multicounty circuit, except that if they forfeited such credit in such county retirement plan prior to being eligible to receive creditable prior service under this paragraph, they may receive creditable service under this paragraph;

(d) Receive creditable prior service pursuant to paragraph (c) of this subdivision even though they already have received credit for such creditable service in a county retirement plan if they elect within six months from the date they become participants in the state retirement plan pursuant to this section to forfeit their service from such plan in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service, determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

(e) Receive creditable prior service for service rendered as a juvenile court employee in a multicounty circuit in a position that was financed in whole or in part by a public or private grant to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service except that if they:

a. Forfeited such credit in such county retirement plan prior to being eligible to receive creditable service under this paragraph, they may receive creditable service under paragraph (e) of this subdivision;

b. Received credit for such creditable service in a county retirement plan, they may not receive creditable prior service pursuant to paragraph (e) of this subdivision unless they elect to forfeit their service from such plan, in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial liability for the forfeited creditable service, determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

c. Terminated employment prior to August 28, 2007, and apply to the board of trustees of the state retirement plan to be made and employed as a special consultant and be available to give opinions regarding retirement they may receive creditable service under paragraph (e) of this subdivision;

d. Retired prior to August 28, 2007, and apply to the board of trustees of the state retirement plan to be made and employed as a special consultant and be available to give opinions regarding retirement, they shall have their retirement benefits adjusted so they receive retirement benefits equal to the amount they would have received had their retirement benefit been initially calculated to include such creditable prior service; or

e. Purchased creditable prior service pursuant to section 104.344 or section 105.691 based on service as a juvenile court employee in a position that was financed in whole or in part by a public or private grant, they shall receive a refund based on the amount paid for such purchased service;

(2) Juvenile court employee positions added after December 31, 1997, shall be terminated and not subject to the provisions of subdivision (1) of this subsection, unless the office of the state courts administrator requests and receives an appropriation specifically for such positions;

(3) The salary of any juvenile court employee who becomes a state employee, effective July 1, 1999, shall **not** be limited to the salary provided by the state of Missouri, which shall be set in accordance with guidelines established by the state pursuant to a salary survey conducted by the office of the state courts administrator, but such salary shall in no event be less than the amount specified in paragraph (a) of subdivision (1) of this subsection. [Notwithstanding any provision to the contrary in subsection 1 of section 211.394, such employees shall not be entitled to additional compensation paid by a county as a public officer or employee.] Such employees shall be considered employees of the judicial branch of state government for all purposes[:];

(a) Any contributions from the county shall not apply to the county employees retirement system fund, or the state employees retirement system fund;

(b) Additional compensation shall be approved by the judge of the juvenile court and the governing body of the city or county providing such additional compensation;

(4) All other employees of a multicounty circuit who are not juvenile court employees as defined in subsection 1 of this section shall be county employees subject to the county's own terms and conditions of employment.

4. The receipt of creditable prior service as described in paragraph (c) of subdivision (1) of subsection 2 of this section and paragraph (c) of subdivision (1) of subsection 3 of this section is contingent upon the office of the state courts administrator providing the state retirement plan information, in a form subject to verification and acceptable to the state retirement plan, indicating the dates of service and amount of monthly salary paid to each juvenile court employee for such creditable prior service.

5. No juvenile court employee employed by any single or multicounty circuit shall be eligible to participate in the county employees' retirement system fund pursuant to sections 50.1000 to 50.1200.

6. Each county in every circuit in which a juvenile court employee becomes a state employee shall maintain each year in the local juvenile court budget an amount, defined as "maintenance of effort funding", not less than the total amount budgeted for all employees of the juvenile court including any juvenile officer, deputy juvenile officer, or other juvenile court employees in calendar year 1997, minus the state reimbursements as described in this section received for the calendar year 1997 personnel costs for the salaries of all such juvenile court employees who become state employees. The juvenile court shall provide a proposed budget to the county commission each year. The budget shall contain a separate section specifying all funds to be expended in the juvenile court. Such funding may be used for contractual costs for detention services, guardians ad litem, transportation costs for those circuits without detention facilities to transport children to and from detention and hearings, short-term residential services, indebtedness for juvenile facilities, expanding existing detention facilities or services, continuation of services funded by public grants or subsidy, and enhancing the court's ability to provide prevention, probation, counseling and treatment services. The county commission may review such budget and may appeal the proposed budget to the judicial finance commission pursuant to section 50.640.

7. Any person who is employed on or after July 1, 1999, in a position covered by the state retirement plan or the **Missouri department of transportation** [department] and highway patrol **employees'** retirement system and who has rendered service as a juvenile court employee in a judicial circuit that was not a single county of the first classification shall be eligible to receive creditable prior service in such plan or system as provided in subsections 2 and 3 of this section. For purposes of this subsection, the provisions of paragraphs (c) and (d) of subdivision (1) of subsection 2 of this section and paragraphs (c) and (d) of subdivision (1) of subsection 3 of this section that apply to the state retirement plan shall also apply to the transportation department and highway patrol retirement system.

8. (1) Any juvenile officer who is employed as a state employee in a multicounty circuit on or after July 1, 1999, shall not be eligible to participate in the state retirement plan as provided by this section unless such juvenile officer elects to:

(a) Receive retirement benefits from the state retirement plan based on all years of service as a juvenile officer and a final average salary which shall include salary paid by the county and the state; and

(b) Forfeit any county retirement benefits from any county retirement plan based on service rendered as a juvenile officer.

(2) Upon making the election described in this subsection, the county retirement plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions.

9. The elections described in this section shall be made on forms developed and made available by the state retirement plan.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCreery
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Funderburk	Guernsey	Higdon	Hughes
McCann Beatty	McDonald	McGhee	Meadows	Newman
Riddle	Schieffer	Webber	Wyatt	

On motion of Representative Franz, **House Amendment No. 11** was adopted by the following vote:

AYES: 117

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Cross
Davis	Day	Dieckhaus	Diehl	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nolte	Oxford	Pace	Parkinson	Phillips
Quinn	Reiboldt	Richardson	Rizzo	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Shively	Shumake	Sifton	Silvey	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 034

Asbury	Brattin	Burlison	Carlson	Carter
Cookson	Crawford	Curtman	Denison	Dugger
Ellinger	Ellington	Entlicher	Franklin	Kander
Kirkton	Koenig	Lasater	Leach	Marshall
May	McNeil	Nichols	Pierson	Pollock
Redmon	Rowland	Schoeller	Schupp	Smith 71
Smith 150	Still	Taylor	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Funderburk	Hughes	Lant	McDonald
Meadows	Newman	Riddle	Schad	Schieffer
Webber	Wyatt			

Representative Fitzwater offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 20, by inserting immediately after said line the following:

"217.670. 1. The board shall adopt an official seal of which the courts shall take official notice.

2. Decisions of the board regarding granting of paroles, extensions of a conditional release date or revocations of a parole or conditional release shall be by a majority vote of the hearing panel members. The hearing panel shall consist of one member of the board and two hearing officers appointed by the board. A member of the board may remove the case from the jurisdiction of the hearing panel and refer it to the full board for a decision. Within thirty days of entry of the decision of the hearing panel to deny parole or to revoke a parole or conditional release, the offender may appeal the decision of the hearing panel to the board. The board shall consider the appeal within thirty days of receipt of the appeal. The decision of the board shall be by majority vote of the board members and shall be final.

3. The orders of the board shall not be reviewable except as to compliance with the terms of sections 217.650 to 217.810 or any rules promulgated pursuant to such section.

4. The board shall keep a record of its acts and shall notify each correctional center of its decisions relating to persons who are or have been confined in such correctional center.

5. Notwithstanding any other provision of law, any meeting, record, or vote, of proceedings involving probation, parole, or pardon, may be a closed meeting, closed record, or closed vote.

6. Notwithstanding any other provision of law, when the appearance or presence of an offender before the board or a hearing panel is required for the purpose of deciding whether to grant conditional release or parole, extend the date of conditional release, revoke parole or conditional release, or for any other purpose, such appearance or presence may occur by means of a videoconference at the discretion of the board. Victims having a right to attend parole hearings may testify either at the site where the board is conducting the videoconference or at the institution where the offender is located. The use of videoconferencing in this section shall be at the discretion of the board, and shall not be utilized if either the offender, the victim or the victim's family objects to it.

559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

- (1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;**
- (2) Have been found guilty of, or plead guilty to, forcible rape under section 566.030;**
- (3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;**
- (4) Have been found guilty of, or plead guilty to, forcible sodomy under section 566.060;**
- (5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;**

(6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;

(7) Have been found to be a predatory sexual offender under section 558.018; or

(8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bahr	Day	Franklin	Funderburk	Hughes
Klippenstein	McDonald	McGhee	Meadows	Newman
Riddle	Schieffer	Wyatt		

On motion of Representative Fitzwater, **House Amendment No. 12** was adopted.

Representative Davis offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 636, Page 18, Section 452.402, Line 33, by inserting after all of said line the following:

"452.413. 1. As used in this section, the following terms shall mean:

(1) **"Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;**

(2) **"Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;**

(3) **"Military parent", the legal parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction, and who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;**

(4) **"Nondeploying parent", a parent or guardian not subject to military deployment.**

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such custody or visitation order shall further require the nondeploying parent to provide the court and the deploying parent with a thirty day advance written notice of any change of address and any change of telephone number. However, if a valid domestic violence court order from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification.

(5) Upon motion of a deploying parent, upon reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion and this shall take precedence on the court's docket.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner, or to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent shall:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Provide timely information regarding the deploying parent's leave schedule to the nondeploying parent.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a temporary hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support. Each party shall provide information to each other in an effort to facilitate agreement on custody and visitation.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days' of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint at the request of the deployed parent or on its own motion a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished by certified mail, return receipt requested, to the nondeploying parent's last known address based on an affidavit of the deploying parent.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Barnes	Bernskoetter	Berry
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Weter
White	Wright	Zerr		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 020

Bahr	Brandom	Day	Funderburk	Hughes
Jones 117	Kelly 24	Klippenstein	Leach	McDonald
McGhee	McManus	Meadows	Newman	Riddle
Schieffer	Wells	Wieland	Wyatt	Mr Speaker

On motion of Representative Davis, **House Amendment No. 13** was adopted.

Representative Cox offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 636, Pages 35-36, Section 488.2250, Lines 1-20, by deleting all of said section and lines in inserting in lieu thereof the following:

“488.2250. For all transcripts of testimony given or proceedings had in any circuit court **in cases where an appeal is taken**, the court reporter shall receive the sum of [two dollars] **three dollars and five cents** per twenty-five-line page for the original **and up to three copies** of the transcript, and the sum of thirty-five cents per twenty-five-line page for each [carbon] **additional** copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter's fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three **paper or electronic** transcripts in duplication of the notes of the evidence, for the original **and up to three copies of the transcript** [of which] the court reporter shall receive **the sum of two dollars and sixty cents** per legal page **and the sum of** [and for the copies] twenty cents per page **for each additional copy thereof**. The payment of court reporter's fees provided in this section shall be made by the state upon a voucher approved by the court. **An electronic version of all transcripts mentioned herein shall be provided. All copies shall be provided by a Court Reporter certified by the Missouri Supreme Court.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 14** was adopted.

Representative Higdon offered **House Amendment No. 15**.

House Amendment No. 15

AMEND Committee Substitute for Senate Bill No. 636, Page 43, Section 537.351, Lines 1-18, to Page 44, Lines 19-38, by deleting all of said section and lines and inserting in lieu thereof the following:

“537.351. 1. Except as provided in subsection 2 of this section, a possessor of real property, including an owner, lessee, or other occupant, or an agent of such owner, lessee, or other occupant, owes no duty of care to a trespasser except to refrain from harming the trespasser by an intentional, willful, or wanton act. A possessor of real property may use justifiable force to repel a criminal trespasser as provided by section 563.074.

2. A possessor of real property may be subject to liability for physical injury or death to a trespasser in the following situations:

(1) If the trespasser is a child who is harmed by a dangerous artificial condition on the land; and

(a) The possessor knew or should have known that children were likely to trespass at the location of the condition;

(b) The condition is one which the possessor knew or reasonably should have known involved an unreasonable risk of death or serious physical injury to such children;

(c) The injured child because of the child's youth did not discover the condition or realize the risk involved in the intermeddling with the condition or in coming within the area made dangerous by the condition;

(d) The utility to the possessor of maintaining the condition and the burden of eliminating the danger were slight as compared with the risk to the child involved; and

(e) The possessor failed to exercise reasonable care to eliminate the danger or otherwise protect the injured child; or

(2) The possessor knew or should have known that trespassers consistently intrude upon a limited area of the possessor's land where the trespasser was harmed, the harm resulted from a dangerous artificial condition on the land; and

(a) The possessor created or maintained the artificial condition that caused the injury;

(b) The possessor knew that the condition was likely to cause death or serious bodily harm to trespassers; and

(c) The possessor knew or should have known that the condition was of such a nature that trespassers would not discover it;

3. This section does not create or increase the liability of any possessor of real property and does not affect any immunities from or defenses to liability established under state law or available under common law to which a possessor of real property may be entitled under circumstances not covered by this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 15** was adopted.

Representative Fuhr offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 636, Page 41, Section 513.440, Line 7, by inserting after all of said section and line the following:

“513.653. 1. Law enforcement agencies involved in using the federal forfeiture system under federal law shall [be required at the end of their respective fiscal year to acquire an independent audit of the federal seizures and the proceeds received therefrom and provide this audit to their respective governing body and to the department of public safety. A copy of such audit shall be provided to the state auditor's office. This audit shall be paid for out of the proceeds of such federal forfeitures] **file a report regarding federal seizures and the proceeds therefrom. Such report shall be filed annually by January thirty-first for the previous calendar year with the department of public safety and the state auditor's office. The report for the calendar year shall include the type and value of items seized and turned over to the federal forfeiture system, the beginning balance as of January first of federal forfeiture funds or assets previously received and not expended or used, the proceeds received from the federal government (the equitable sharing amount), the expenditures resulting from the proceeds received, and the ending balance as of December thirty-first of federal forfeiture funds or assets on hand.** The department of public safety shall not issue funds to any law enforcement agency that fails to comply with the provisions of this section.

2. Intentional or knowing failure to comply with the [audit] **reporting** requirement contained in this section shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 16** was adopted.

Representative May offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Bill No. 636, Page 57, Section 566.083, Line 23, by inserting after all of said section and line the following:

“568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **"Arrearage":**

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)] (4) "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of [twelve] **eighteen** monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. (1) If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) **After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an**

order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the [child support enforcement service of the] family support division [of] **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

- (1) In any county in which the child resided during the period of time for which the defendant is charged; or
- (2) In any county in which the defendant resided during the period of time for which the defendant is charged.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative May, **House Amendment No. 17** was adopted.

Representative Wallingford offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Bill No. 636, Page 15, Section 211.031, Line 96, by inserting after all of said line the following:

"211.069. The amendments to sections 211.071 and 211.073 enacted by the ninety-sixth general assembly, second regular session, shall be known and may be cited as "Jonathan's Law".

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030, forcible sodomy under section 566.060, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

- (1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;
- (2) Whether the offense alleged involved viciousness, force and violence;
- (3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;
- (4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;
- (5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;
- (6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;
- (7) The age of the child;
- (8) The program and facilities available to the juvenile court in considering disposition;
- (9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and
- (10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

- (1) Findings showing that the court had jurisdiction of the cause and of the parties;
- (2) Findings showing that the child was represented by counsel;
- (3) Findings showing that the hearing was held in the presence of the child and his counsel; and
- (4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law **and the prosecution of the child results in a conviction**, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense

committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court [may] **shall**, in a case when the offender is under seventeen years **and six months** of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, [invoke] **consider** dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section [if:

(1) A facility is designed and built by the division of youth services specifically for offenders sentenced pursuant to this section and if the division determines that there is space available, based on design capacity, in the facility; and

(2)]:

(1) Upon agreement of the division **of youth services; and**

(2) **If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section.**

If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of seventeen, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Conway 14	Day	Franklin	Funderburk
Grisamore	Hughes	Leach	McDonald	McGhee
Meadows	Newman	Parkinson	Riddle	Scharnhorst
Schatz	Schieffer	Webber	Wyatt	

On motion of Representative Wallingford, **House Amendment No. 18** was adopted.

Representative Wells offered **House Amendment No. 19**.

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 25, by inserting after all of said line the following:

“304.820. 1. Except as otherwise provided in this section, no person [twenty-one years of age or younger] operating a moving motor vehicle upon the highways of this state shall, by means of a hand-held electronic wireless communications device, send, read, or write a text message or electronic message, **unless the device is equipped with technology allowing for voice-recognition hands-free texting and is being used in such manner.**

2. The provisions of subsection 1 of this section shall not apply to a person operating:

(1) An authorized emergency vehicle; or

(2) A moving motor vehicle while using a hand-held electronic wireless communications device to:

(a) Report illegal activity;

(b) Summon medical or other emergency help;

(c) Prevent injury to a person or property; or

(d) Relay information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle.

3. Nothing in this section shall be construed or interpreted as prohibiting a person from making or taking part in a telephone call, by means of a hand-held electronic wireless communications device, while operating a motor vehicle upon the highways of this state.

4. As used in this section, "electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between hand-held electronic wireless communication devices. "Electronic message" includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an internet site.

5. As used in this section, "hand-held electronic wireless communications device" includes any hand-held cellular phone, palm pilot, blackberry, or other mobile electronic device used to communicate verbally or by text or electronic messaging, but shall not apply to any device that is permanently embedded into the architecture and design of the motor vehicle.

6. As used in this section, "making or taking part in a telephone call" means listening to or engaging in verbal communication through a hand-held electronic wireless communication device.

7. As used in this section, "send, read, or write a text message or electronic message" means using a hand-held electronic wireless telecommunications device to manually communicate with any person by using an electronic message. Sending, reading, or writing a text message or electronic message does not include reading, selecting, or entering a phone number or name into a hand-held electronic wireless communications device for the purpose of making a telephone call.

8. A violation of this section shall be deemed an infraction and shall be deemed a moving violation for purposes of point assessment under section 302.302, RSMo.

9. The state preempts the field of regulating the use of hand-held electronic wireless communications devices in motor vehicles, and the provisions of this section shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand-held electronic wireless communication devices by the operator of a motor vehicle.

10. The provisions of this section shall not apply to:

(1) The operator of a vehicle that is lawfully parked or stopped;

(2) Any of the following while in the performance of their official duties: a law enforcement officer; a member of a fire department; or the operator of a public or private ambulance;

(3) The use of factory-installed or aftermarket global positioning systems (GPS) or wireless communications devices used to transmit or receive data as part of a digital dispatch system;

(4) The use of voice-operated technology;

(5) The use of two-way radio transmitters or receivers by a licensee of the Federal Communications Commission in the Amateur Radio Service.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Cierpiot	Funderburk	Hinson	Hough
Hubbard	Hughes	Leach	Long	McGhee
Meadows	Newman	Riddle	Scharnhorst	Schieffer
Webber	Wyatt			

Representative Wells moved that **House Amendment No. 19** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Still
Swearingen	Swinger	Talboy	Taylor	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 016

Berry	Denison	Funderburk	Hughes	McGhee
Meadows	Newman	Riddle	Scharnhorst	Schieffer
Spreng	Stream	Walton Gray	Wyatt	Zerr
Mr Speaker				

On motion of Representative Diehl, **HCS SB 636, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 636, as amended**, was read the third time and passed by the following vote:

AYES: 084

Allen	Bernskoetter	Berry	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Davis	Day	Dieckhaus	Diehl	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Korman	Lair	Lant	Largent	Leara
Lichtenegger	Loehner	Long	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Sommer
Stream	Thomson	Wallingford	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 070

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Black	Brattin	Carlson	Carter
Casey	Colona	Conway 27	Curtman	Dugger
Ellinger	Ellington	Entlicher	Fallert	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Koenig	Kratky
Lampe	Lasater	Lauer	Leach	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Nichols	Oxford	Pace	Pierson	Pollock
Quinn	Rizzo	Schieber	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Wells	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 009

Denison	Funderburk	Hughes	McGhee	Meadows
Newman	Riddle	Scharnhorst	Schieffer	

Representative Silvey declared the bill passed.

SS SB 665, relating to a conveyance of state property, was taken up by Representative Asbury.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 665, Page 1, Section 1, Line 1, by inserting immediately before said line the following:

“72.401. 1. If a commission has been established pursuant to section 72.400 in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall

serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, **(1) any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, and (2) any voluntary annexation approved by municipal ordinance provided that the municipality owns the area to be annexed, that the area is contiguous with the municipality, and that the area is utilized only for parks and recreation purposes,** shall not be subject to commission review. Such a boundary adjustment **or annexation** is not prohibited by the existence of an established unincorporated area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Substitute for Senate Bill No. 665, Page 1, Section 1, Line 1, by inserting before said section and line the following:

“177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Gatschenberger offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Substitute for Senate Bill No. 665, Page 1, Section 1, Line 1, by before all of said section and line inserting the following:

“227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.

301.3163. Any person may apply for [special] **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the [special] **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the [advisory committee established in section 301.129] **director**, with the words "DON'T TREAD ON ME" [in place of the words "SHOW-ME STATE"] **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsen Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1
to
House Amendment No. 3*

AMEND House Amendment No. 3 to Senate Substitute for Senate Bill No. 665, Page 1, Line 37, by inserting after all of said line the following:

‘Further amend said bill, Section 11, Page 15, Line 22, by inserting after all of said section and line the following:

“Section 12. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 13. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Gatschenberger, **House Amendment No. 3, as amended**, was adopted.

Representative Cox offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Substitute for Senate Bill No. 665, Page 1, the Title, Lines 1-2, by deleting the words “to the state highways and transportation commission”; and

Further amend said substitute, Page 15, Section 11, Line 22, by inserting immediately after said line the following:

“Section 12. 1. The governor is hereby authorized and empowered to vacate the existing one acre easement made on May 25, 1971, between the state and the City of Sedalia, Missouri, located at 2600 West 16th Street, and is hereby authorized and empowered to grant to the City of Sedalia, Missouri, an easement to construct, reconstruct, alter, replace, maintain, and operate a fire station and an entrance thereto on and over certain state owned property more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 45 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI; THENCE N 86°29'52"W ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 939 FEET TO THE POINT OF BEGINNING OF THE PARCEL CONVEYED TO THE STATE OF MISSOURI IN VOLUME 289 AT PAGE 242 IN THE PETTIS COUNTY RECORDERS OFFICE, AND AS SHOWN ON A SURVEY IN PLAT CABINET B AT PAGE 775 TO THE POINT OF BEGINNING; THENCE CONTINUING N 86°29'52"W ALONG SAID SOUTH LINE, 323 FEET TO THE EASTERLY RIGHT OF WAY OF THE MISSOURI PACIFIC RAILROAD COMPANY DESCRIBED IN VOLUME 140 AT PAGE 298, AND AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE 775; THENCE N 2°24'46"E ALONG SAID RIGHT OF WAY, 387.32 FEET; THENCE S 87°36'42"E, 323 FEET TO THE EAST LINE OF SAID PROPERTY DESCRIBED IN VOLUME 289 AT PAGE 242; THENCE S 2°24'41"W ALONG SAID EAST LINE, 393.60 FEET TO THE POINT OF BEGINNING, CONTAINING 2.9 ACRES, MORE OR LESS, RESERVING TO THE STATE OF MISSOURI INGRESS AND EGRESS TO THE NORTH 2.1 ACRES MORE OR LESS OF THE PARCEL DESCRIBED IN VOLUME 289 AT PAGE 242.

EXCEPTING THEREFROM THE RIGHT OF WAY FOR HIGHWAY Y AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE 775, AND THE MISSOURI DEPARTMENT OF TRANSPORTATIONS PLANS FOR STATE HIGHWAY Y.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative Hummel offered **House Amendment No. 5.**

House Amendment No. 5

AMEND Senate Substitute for Senate Bill No. 665, Page 15, Section 12, Line 22, by inserting after all of said section and line the following:

“Section 12. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release all interest of the state of Missouri in an easement located near the Choteau State Owned Office Building, in the City of St. Louis, described as follows:

**Ingress/Egress Easement Vacation
Book 1696M, Page 2270**

A tract of land being part of Lots 2 and 4 of Chouteau-Compton Subdivision No. 3, a subdivision according to the plat thereof as recorded in Plat Book 12242003, Page 132 of the City of St. Louis Records, being more particularly described as follows:

Beginning at the southeastern corner of above said Lot 4, said point also being the southwestern corner of Lot 2, said point also being located on the northern right-of-way line of Chouteau Avenue, 80 feet wide; thence along said right-of-way line, North 75 degrees 00 minutes 00 seconds West, 25.32 feet to the western line of an Ingress/Egress Easement as established by instrument recorded in Book 1696M, Page 2270; thence departing last said right-of-way line along said western line the following courses and distances: North 15 degrees 32 minutes 58 seconds East, 78.61 feet to a point on a non-tangent curve to the right having a radius of 75.51 feet; along said curve with an arc length of 47.00 feet, and a chord which bears North 44 degrees 16 minutes 16 seconds East, 46.24 feet; North 59 degrees 59 minutes 10 seconds East, 53.47 feet to a point on a non-tangent curve to the left having a radius of 81.83 feet; thence along said curve with an arc length of 57.03 feet, and a chord which bears North 36 degrees 21 minutes 43 seconds East, 55.88 feet to a point of tangency and North 16 degrees 23 minutes 52 seconds East, 21.30 feet to the northern line of above said Lot 4; thence along said north line South 75 degrees 00 minutes 00 seconds East, 12.52 feet to the northeastern corner of above said Lot 4, said point also being the northwestern corner of above said Lot 2; thence along the northern line of said Lot 2, South 75 degrees 00 minutes 00 seconds East, 11.21 feet to the northeastern corner of above said Ingress/Egress Easement; thence along the eastern line of said Ingress/Egress Easement the following courses and distances: South 14 degrees 42 minutes 17 seconds West, 25.31 feet to a point on a non-tangent curve to the right having a radius of 80.19 feet; along said curve with an arc length of 66.36 feet, and a chord which bears South 36 degrees 23 minutes 48 seconds West, 64.48 feet; South 60 degrees 06 minutes 17 seconds West, 45.35 feet to a point on a non-tangent curve to the left having a radius of 63.36 feet; along said curve with an arc length of 42.86 feet, and a chord which bears South 34 degrees 36 minutes 23 seconds West, 42.05 feet to a point of tangency and South 15 degrees 13 minutes 43 seconds West, 73.14 feet to the northern right-of-way line of above said Chouteau Avenue; thence along said northern right-of-way line, North 75 degrees 00 minutes 00 seconds West, 10.53 feet to the Point of Beginning and containing 7,348 square feet or 0.168 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc on March 15, 2012.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance.

Section B. Because immediate action is necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, section 12 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 5** was adopted.

Representative Korman offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Substitute for Senate Bill No. 665, Page 15, Section 11, Line 22, by inserting immediately after said line the following:

“Section 12. If the state highways and transportation commission transfers, sells, or conveys the property contained in sections 1 through 11 of section A of this act within two years of August 28, 2012, it shall use a public

auction method except for transfers, sales, or conveyances to an adjacent property owner, public institution, political subdivision, or utility.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 6** was adopted.

On motion of Representative Asbury, **SS SB 665, as amended**, was read the third time and passed by the following vote:

AYES: 111

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 035

Anders	Carlson	Carter	Colona	Ellinger
Holsman	Hubbard	Hummel	Jones 63	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Denison	Dieckhaus	Dugger	Ellington
Funderburk	Hughes	Leara	McNary	Meadows
Nasheed	Newman	Riddle	Schieffer	Webber
Wyatt	Mr Speaker			

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Diehl	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	Molendorp	Montecillo
Morgan	Nance	Neth	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 012

Berry	Brattin	Cross	Hampton	Houghton
Lasater	Marshall	May	McNeil	Nichols
Smith 71	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 017

Denison	Dieckhaus	Dugger	Ellington	Funderburk
Holsman	Hughes	Leara	McNary	Meadows
Nasheed	Newman	Riddle	Schieffer	Webber
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller assumed the Chair.

HCS SS SCS SB 682, relating to interventional pain management, was taken up by Representative Richardson.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 682, Page 1, Section 334.153, Line 13, by deleting the word, “**fluoroscopy**” and inserting in lieu thereof the words, “**image guidance**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Colona	Denison	Dieckhaus	Dugger	Funderburk
Hughes	Leara	McDonald	McNary	Meadows
Newman	Riddle	Schieffer	Swearingen	Wyatt

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On motion of Representative Richardson, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelley 126
Kelly 24	Kirkton	Kratky	Lampe	Largent
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Denison	Dugger	Funderburk	Hughes
Leara	McDonald	McGhee	McNary	Meadows
Newman	Riddle	Schieffer		

On motion of Representative Richardson, **HCS SS SCS SB 682, as amended**, was adopted.

On motion of Representative Richardson, **HCS SS SCS SB 682, as amended**, was read the third time and passed by the following vote:

AYES: 090

Allen	Asbury	Bahr	Berry	Brandom
Brown 85	Brown 116	Burlison	Casey	Conway 14
Cookson	Crawford	Cross	Day	Dieckhaus
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Klippenstein
Lair	Lant	Lasater	Lauer	Leach
Long	Marshall	McCaherty	McManus	Molendorp
Neth	Nichols	Nolte	Parkinson	Phillips
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
White	Wright	Wyatt	Zerr	Mr Speaker

NOES: 058

Anders	Atkins	Aull	Bernskoetter	Black
Brattin	Brown 50	Carlson	Carter	Cauthorn
Cierpiot	Conway 27	Cox	Curtman	Davis
Ellinger	Ellington	Fallert	Gosen	Harris
Hodges	Hummel	Kander	Kelley 126	Kirkton
Koenig	Korman	Kratky	Lampe	Largent
Loehner	May	McCreery	McGeoghegan	McGhee
McNeil	Montecillo	Morgan	Nance	Nasheed
Oxford	Pace	Pierson	Pollock	Quinn
Redmon	Rizzo	Schad	Schupp	Shively
Smith 71	Still	Swinger	Taylor	Walton Gray
Webb	Weter	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Colona	Denison	Dugger	Funderburk
Hughes	Leara	Lichtenegger	McCann Beatty	McDonald
McNary	Meadows	Newman	Riddle	Schieffer

Speaker Pro Tem Schoeller declared the bill passed.

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 626**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 721**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 835**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 510**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 557**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 594**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 625**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 648**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 668**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 692**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 701**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 721**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 722**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 749**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 760**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 769**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 835**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 893**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 668 - Fiscal Review

HCS SCS SB 692 - Fiscal Review

HCS SB 701 - Fiscal Review

HCS SS SB 854 - Fiscal Review

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1094**, entitled:

An act to repeal section 205.042, RSMo, and to enact in lieu thereof two new sections relating to payment systems.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1094, Page 1, Section 37.007, Line 11, by inserting immediately after said line the following:

"37.920. 1. There is hereby created in the state treasury the "Missouri Revolving Information Technology Trust Fund" which shall contain moneys transferred or paid to the office of administration by any

state agency in return for information technology expenses which may be incurred to ensure the proper use and operation of any information technology equipment, software, or systems.

2. The state treasurer shall be custodian of the fund and may approve disbursement from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 1402, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1563**, entitled:

An act to repeal sections 195.060, 195.080, 334.104, 334.747, 337.300, 337.305, 337.310, 337.315, 337.325, 337.345, 338.315, 338.333, and 660.315, RSMo, and to enact in lieu thereof fifteen new sections relating to healthcare services, with a penalty provision and an emergency clause for a certain section.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1563, Page 31, Section 338.315, Line 20, by inserting after all of said line the following:

"338.320. 1. There is hereby established the "Missouri Electronic Prior Authorization Committee" in order to facilitate, monitor, and report to the general assembly on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Such efforts shall include the Missouri-based electronic prior authorization pilot program established under subsection 5 of this section and the study and dissemination of information by the committee of the efforts of the National Council on Prescription Drug Programs (NCPDP) to develop national electronic prior authorization standards. The committee shall advise the general assembly and the department of insurance, financial institutions and professional registration as to whether there is a need for administrative rules to be promulgated by the department of insurance, financial institutions and professional registration as soon as practically possible.

2. The Missouri electronic prior authorization committee shall consist of the following members:

- (1) Two members of the senate, appointed by the president pro tempore of the senate;
- (2) Two members of the house of representatives, appointed by the speaker of the house of representatives;
- (3) One member from an organization of licensed physicians in the state;
- (4) One member who is a physician licensed in Missouri pursuant to chapter 334;
- (5) One member who is a representative of a Missouri pharmacy benefit management company;
- (6) One member from an organization representing licensed pharmacists in the state;
- (7) One member from the business community representing businesses on health insurance issues;
- (8) One member from an organization representing the leading research-based pharmaceutical and biotechnology companies;
- (9) One member from an organization representing the largest generic pharmaceutical trade association;
- (10) One patient advocate;

(11) One member from an electronic prescription network that facilitates the secure electronic exchange of clinical information between physicians, pharmacies, payers, and pharmacy benefit managers and other health care providers;

(12) One member from a Missouri-based electronic health records company;

(13) One member from an organization representing the largest number of hospitals in the state;

(14) One member from a health carrier as such term is defined under section 376.1350;

(15) One member from an organization representing the largest number of health carriers in the state, as such term is defined under section 376.1350;

(16) The director of the department of social services, or the director's designee;

(17) The director of the department of insurance, financial institutions and professional registration, who shall be chair of the committee.

3. All of the members, except for the members from the general assembly, shall be appointed by the governor no later than September 1, 2012, with the advice and consent of the senate. The staff of the department of insurance, financial institutions and professional registration shall provide assistance to the committee.

4. The duties of the committee shall be as follows:

(1) Before February 1, 2019, monitor and report to the general assembly on the Missouri-based electronic prior authorization pilot program created under subsection 5 of this section including a report of the outcomes and best practices developed as a result of the pilot program and how such information can be used to inform the national standard-setting process;

(2) Obtain specific updates from the NCPDP and other pharmacy benefit managers and vendors that are currently engaged in pilot programs working toward national electronic prior authorization standards;

(3) Correspond and collaborate with the NCPDP and other such pilots through the exchange of information and ideas;

(4) Assist, when asked by the pharmacy benefit manager, with the development of the pilot program created under subsection 5 of this section with an understanding of information on the success and failures of other pilot programs across the country;

(5) Prepare a report at the end of each calendar year to be distributed to the general assembly and governor with a summary of the committee's progress and plans for the next calendar year, including a report on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Such annual report shall continue until such time as the NCPDP has established national electronic prior authorization standards or this section has expired, whichever is sooner. The first report shall be completed before January 1, 2013;

(6) Upon the adoption of national electronic prior authorization standards by the NCPDP, prepare a final report to be distributed to the general assembly and governor that identifies the appropriate Missouri administrative regulations, if any, that will need to be promulgated by the department of insurance, financial institutions and professional registration, in order to make those standards effective as soon as practically possible, and advise the general assembly and governor if there are any legislative actions necessary to the furtherance of that end.

5. The department of insurance, financial institutions and professional registration and the Missouri electronic prior authorization committee shall recruit a Missouri-based pharmacy benefits manager doing business nationally to volunteer to conduct an electronic prior authorization pilot program in Missouri. The pharmacy benefits manager conducting the pilot program shall ensure that there are adequate Missouri licensed physicians and an electronic prior authorization vendor capable and willing to participate in a Missouri-based pilot program. Such pilot program established under this section shall be operational by January 1, 2014. The department and the committee may provide advice or assistance to the pharmacy benefit manager conducting the pilot program but shall not maintain control or lead with the direction of the pilot program.

6. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate grants the House a conference on **HCS SS SCS SB 470, as amended.**

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 569**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 569;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Kevin Engler
/s/ Luann Ridgeway

FOR THE HOUSE:

/s/ Tony Dugger
/s/ Jason Smith
/s/ Myron Neth
/s/ Joseph Fallert, Jr.
/s/ Pat Conway

**CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 611**

The Conference Committee appointed on Senate Bill No. 611, with House Amendments Nos. 1, 2, 3, 4, 5, 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 611, as amended;
2. The Senate recede from its position on Senate Bill No. 611;
3. That the attached Conference Committee Substitute for Senate Bill No. 611 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jim Lembke
/s/ Bill Stouffer
/s/ Mike Kehoe
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Rick Stream
/s/ Chris Kelly
/s/ Sara Lampe

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, May 15, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW

Tuesday, May 15, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW

Wednesday, May 16, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW

Thursday, May 17, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW

Friday, May 18, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

HEALTH CARE POLICY

Wednesday, May 16, 2012, Upon Morning Recess House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 15, 2012, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Election of Chairman and Vice-Chairman

CANCELLED

JOINT COMMITTEE ON EDUCATION

Wednesday, May 16, 2012, 8:40 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Election of Chairman and Vice-Chairman

RULES - PURSUANT TO RULE 25(32)(F)

Tuesday, May 15, 2012, 8:45 AM North Gallery.

Executive session may be held on any or all bills referred to this committee.

CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)

Wednesday, May 16, 2012, 8:45 AM North Gallery.

Executive Session may be held on any or all bills referred to this committee.

CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, May 17, 2012, 8:45 AM North Gallery.

Executive session may be held on any or all bills referred to this committee.

CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)

Friday, May 18, 2012, 8:45 AM North Gallery.

Executive session may be held on any or all bills referred to this committee.

CORRECTED

RURAL COMMUNITY DEVELOPMENT

Tuesday, May 15, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCR 15

Executive session will be held: SCR 15

Executive session may be held on any matter referred to the committee.

AMENDED

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, May 15, 2012, 5:00 PM or Upon Afternoon Adjournment or Recess, whichever is later,
House Hearing Room 5.

Public hearing will be held: SCR 26

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTY-THIRD DAY, TUESDAY, MAY 15, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 89 - Schoeller
- 2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant
- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough
- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin
- 20 HCS HB 1846 - Long
- 21 HCS HB 1585 - Cross
- 22 HCS HB 1971 - Schneider
- 23 HB 1690 - May
- 24 HB 1728 - Johnson
- 25 HB 1790 - Torpey
- 26 HCS HB 1970 - Jones (117)
- 27 HB 1144 - Gatschenberger
- 28 HB 1394 - Brandom
- 29 HB 1456 - Black
- 30 HCS HB 1609 - Nasheed

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- 31 HCS HB 1612 - Burlison
- 32 HB 2038 - Wallingford
- 33 HCS HB 1877 - Sommer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1328 - Cox
- 2 HCS HB 1922 - Molendorp
- 3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee
- 3 HB 1357 - Gatschenberger

HOUSE BILLS FOR THIRD READING - INFORMAL

- 1 HB 1277 - Long
- 2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 55 - Nolte
- 2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 469 - Smith (150)
- 2 HCS SB 620 - Gosen
- 3 HCS SCS SB 726 - Wells
- 4 SS SCS SB 689 - Schad
- 5 SS SB 607 - Burlison
- 6 HCS#2 SCS SB 480 - Riddle
- 7 HCS SCS SB 485 - Kelly (24)
- 8 HCS SCS SB 563, E.C. - Leach
- 9 SB 599 - Dieckhaus
- 10 HCS SCS SB 631 - Reiboldt
- 11 HCS SCS SB 673 - Day
- 12 SCS SB 789 - Cox
- 13 HCS SB 813 - Brandom
- 14 HCS SCS SB 856 - Barnes
- 15 SS SCS SBs 489 & 637, E.C. - Franz

- 16 SS SCS SB 576 - Richardson
- 17 SS SCS SB 633 - Largent
- 18 HCS SCS SB 711 - Largent
- 19 HCS SB 739 - Cox
- 20 SCS SB 788 - Diehl
- 21 HCS SCS SB 655 - Kelly (24)
- 22 HCS SB 667 - Korman
- 23 HCS SCS SB 671, E.C. - Dugger
- 24 HCS SCS SB 510 - Schneider
- 25 HCS SB 557 - Franz
- 26 HCS SB 594 - Pollock
- 27 HCS SCS SB 625 - Jones (117)
- 28 HCS SCS SB 648 - Sommer
- 29 HCS SB 668, (Fiscal Review 5/14/12) - Diehl
- 30 HCS SCS SB 692, (Fiscal Review 5/14/12), E.C. - Asbury
- 31 HCS SB 701, (Fiscal Review 5/14/12) - Wright
- 32 HCS SCS SB 722 - Jones (89)
- 33 HCS SS SB 749 - Jones (89)
- 34 HCS SB 760, E.C. - Ruzicka
- 35 HCS SS SB 769 - Cierpiot
- 36 HCS SS SB 854, (Fiscal Review 5/14/12) - Long
- 37 SB 893 - Richardson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1495 - Nance
- 2 SCS HB 1112 - Gosen
- 3 SCS HCS HB 1042, as amended - Thomson
- 4 SS SCS HCS HB 1400, E.C. - Richardson
- 5 HB 1250, with SA 1 & SA 2 - Ruzicka
- 6 SS HB 1128 - Largent
- 7 HB 1103, with SA 1 & SA 2 - Crawford
- 8 SCS HB 1460 - Jones (117)
- 9 SCS HB 1036 - Dugger
- 10 SCS HCS HB 1072 - Sater
- 11 SS SCS HCS HB 1563, as amended, E.C. - Sater
- 12 SS SCS HCS HB 1094, as amended - Wieland

BILLS CARRYING REQUEST MESSAGES

- 1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
- 2 SCS SB 715, with HA 1 and HA 2, (request House recede/take up and pass bill) - Day
- 3 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641,
HB 1668, HB1737, HB1782, HB1868 and HB1878, as amended (request Senate
recede/grant conference) - Marshall

BILLS IN CONFERENCE

- 1 CCR HCS SB 568, as amended, E.C. - Franz
- 2 CCR SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
- 3 CCR SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
- 4 CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. -
Brown (116)
- 5 CCR HCS SCS SB 569, as amended - Dugger
- 6 SS SCS HB 1073 AND HCS HB 1477, as amended - Sater
- 7 SCS HB 1135, as amended - Smith (150)
- 8 HCS SCS SB 498, as amended, E.C. - Shumake
- 9 HCS SS SCS SB 467, as amended - Cox
- 10 SCS SB 566, with HA 1 & HA 2 - Jones (117)
- 11 HCS SB 455, as amended - Thomson
- 12 HCS SB 578, as amended, E.C. - Cox
- 13 HCS SB 628, as amended - Kelly (24)
- 14 HCS SCS SB 635, as amended, E.C. - Phillips
- 15 SS SCS HCS HB 1402, as amended - Burlison
- 16 HCS SS SCS SB 470, as amended - Burlison

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl
- 3 SCR 24 - Davis

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-THIRD DAY, TUESDAY, MAY 15, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My presence shall go with thee, and I will give thee rest. (Exodus 33:14)

O God, beyond Whose enduring love we cannot drift, in the glory of a new day we lift our hearts to You. We devote ourselves to the duties that demand our attention. We would be still in Your presence and rest in the assurance of Your sustaining strength.

Bless these representatives of our people as they think together, plan together, and work together for the good of our state. Help them to take the tensions and the trials of their tasks, the stress and strain of modern life in their stride, and to overcome them by learning to relax by taking time to keep Your spirit alive in their hearts.

May we discover the secret of the power of prayer; may we be led in right paths, and may our days be filled with faith, hope and love.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Madeline Klippenstein, Mikalah Klippenstein, Hannah Klippenstein, Savannah Wall, Zoe Heinz, Elizabeth Mulligan, Carter Philipp, Luke Smith and Brittany Fouquet.

The Journal of the seventy-second day was approved as printed.

SPECIAL RECOGNITION

John Koffman was introduced by Representatives Asbury and Schoeller and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3163 through House Resolution No. 3222

HOUSE CONCURRENT RESOLUTION

Representative Oxford, et al., offered House Concurrent Resolution No. 60.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 668**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 692**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 701**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILL

HB 1357, relating to alternatives-to-abortion agencies, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 1357** was read the third time and passed by the following vote:

AYES: 114

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McGeoghegan	McManus
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 034

Atkins	Carlson	Carter	Colona	Ellinger
Holsman	Hubbard	Jones 63	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 015

Ellington	Funderburk	Hodges	Hughes	Hummel
Kander	Loehner	McCaherty	McGhee	Meadows
Riddle	Schneider	Shumake	Webb	Webber

Speaker Pro Tem Schoeller declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1141**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1150**, entitled:

An act to repeal sections 301.190, 301.193, and 301.227, RSMo, and to enact in lieu thereof three new sections relating to the issuance of certificate of titles for motor vehicles.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1150, Page 18, Section 301.227, Line 23, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or

watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1150, Page 18, Section 301.227, Line 23, by inserting immediately after said line the following:

"430.020. Every person who shall keep or store any vehicle[,] **or** part or equipment thereof, shall, for the amount due therefor, have a lien; and every person who furnishes labor or material on any vehicle [or aircraft,] or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner of the vehicle [or aircraft], or part or equipment thereof, **and every person who furnishes labor or material on any aircraft or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner, authorized agent of the owner, or person in lawful possession of the aircraft or part or equipment thereof,** shall have a lien for the amount of such work or material as is ordered or stated in such written memorandum. Such liens shall be on the vehicle or aircraft, or part or equipment thereof, as shall be kept or stored, or be placed in the possession of the person furnishing the labor or material; provided, however, the person furnishing the labor or material **on the aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof resides, if known to the claimant, and in the office of the county recorder of the county where the labor or material was furnished. Such statement shall be filed within [thirty] **one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless said lien has also been filed with the Federal Aviation Administration Aircraft Registry.

430.082. 1. Every person expending labor, services, skill or material upon any motor vehicle or trailer, as defined in chapter 301, vessel, as defined in chapter 306, outboard motor [or], **or aircraft, or part or equipment of an aircraft,** at a written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or who provides storage for a motor vehicle, trailer, outboard motor or vessel, at the written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or at the written request of a peace officer in lieu of the owner or owner's agent, where such owner or agent is not available to request storage thereof, shall, where the maximum amount to be charged for labor, services, skill or material has been stated as part of the written request or the daily charge for storage has been stated as part of the written request, have a lien upon the chattel beginning upon the date of commencement of the expenditure of labor, services, skill, materials or storage for the actual value of all the expenditure of labor, services, skill, materials or storage until the possession of that chattel is voluntarily relinquished to the owner, authorized agent, or one entitled to possession thereof. The person furnishing labor, services, skill or material **upon an aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof, by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof, resides, if known to the claimant, and in the office of the county recorder of the county where the claimant performed the services. Such statement shall be filed within [thirty] **one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless the lien has also been filed with the Federal Aviation Administration Aircraft Registry.

2. If the chattel is not redeemed within forty-five days of the completion of the requested labor, services, skill or material, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title.

3. If the charges are for storage or the service of towing the motor vehicle, trailer, outboard motor or vessel, and the chattel has not been redeemed within forty-five days after the charges for storage commenced, the lienholder shall notify by certified mail, postage prepaid, the owner and any lienholders of record other than the person making the notification, at the person's last known address that application for a lien title will be made unless the owner or lienholder within thirty days makes satisfactory arrangements with the person holding the chattel for payment of storage or service towing charges, if any, or makes satisfactory arrangements with the lienholder for paying such charges or for continued storage of the chattel if desired. Thirty days after the notification has been mailed and the chattel is unredeemed, or the notice has been returned marked "not forwardable" or "addressee unknown", and no satisfactory arrangement has been made with the lienholder for payment or continued storage, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title as provided in this section.

4. The application shall be accompanied by:

(1) The original or a conformed or photostatic copy of the written request of the owner or the owner's agent or of a peace officer with the maximum amount to be charged stated therein;

(2) An affidavit from the lienholder that written notice was provided to all owners and lienholders of the applicants' intent to apply for a certificate of ownership and the owner has defaulted on payment of labor, services, skill or material and that payment is forty-five days past due, or that owner has defaulted on payment or has failed to make satisfactory arrangements for continued storage of the chattel for thirty days since notification of intent to make application for a certificate of ownership or certificate of title. The affidavit shall be accompanied by a copy of the

thirty-day notice given by certified mail to any owner and person holding a valid security interest and a copy of the certified mail receipt indicating that the owner and lienholder of record was sent a notice as required in this section;

(3) A statement of the actual value of the expenditure of labor, services, skill or material, or the amount of storage due on the date of application for a certificate of ownership or certificate of title, and the amount which is unpaid; and

(4) A fee of ten dollars.

5. If the director is satisfied with the genuineness of the application, proof of lienholder notification in the form of a certified mail receipt, and supporting documents, and if no lienholder or the owner has redeemed the chattel or no satisfactory arrangement has been made concerning payment or continuation of storage, and if no owner or lienholder has informed the director that the owner or lienholder demands a hearing as provided in this section, the director shall issue, in the same manner as a repossessed title is issued, a certificate of ownership or certificate of title to the applicant which shall clearly be captioned "Lien Title".

6. Upon receipt of a lien title, the holder shall within ten days begin proceedings to sell the chattel as prescribed in section 430.100.

7. The provisions of section 430.110 shall apply to the disposition of proceeds, and the lienholder shall also be entitled to any actual and necessary expenses incurred in obtaining the lien title, including, but not limited to, court costs and reasonable attorney's fees."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1280**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS#2 HB 1323**, entitled:

An act to repeal sections 208.044, 210.135, 210.145, 210.211, and 210.245, RSMo, and to enact in lieu thereof seven new sections relating to the provision of child care services, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HCS HB 1402, as amended**: Senators Stouffer, Kehoe, Ridgeway, Justus and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1498**, entitled:

An act to repeal sections 311.087, 311.089, 311.090, 311.093, 311.097, 311.098, 311.102, 311.104, 311.174, 311.176, 311.178, 311.196, 311.273, 311.293, 311.481, 311.485, and 311.486, RSMo, and to enact in lieu thereof eleven new sections relating to sales of intoxicating liquor.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1758**, entitled:

An act to repeal section 453.005, RSMo, and to enact in lieu thereof two new sections relating to rights of persons with parental relationships.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 470, as amended**: Senators Dixon, Mayer, Goodman, Justus and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 636, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

THIRD READING OF SENATE BILLS

SS SCS SB 689, relating to crimes against the elderly, was taken up by Representative Schad.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Holsman
Hubbard	Hummel	Kelly 24	Kirkton	Kratky
Lampe	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Dieckhaus	Funderburk	Hodges	Hughes
Jones 63	Kander	McCaherty	McGhee	McManus
Meadows	Riddle	Shumake	Webb	Weter
Mr Speaker				

On motion of Representative Schad, **SS SCS SB 689** was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

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Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 002

Marshall	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 014

Dieckhaus	Funderburk	Hodges	Hughes	Jones 63
Kander	McCaherty	McGhee	McManus	Meadows
Riddle	Shumake	Webb	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

SS SB 607, relating to outdoor advertising, was taken up by Representative Burlison.

On motion of Representative Burlison, **SS SB 607** was truly agreed to and finally passed by the following vote:

AYES: 112

Asbury	Atkins	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 041

Anders	Aull	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Gosen	Holsman
Jones 63	Kander	Kelly 24	Kirkton	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols

Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 010

Allen	Bahr	Curtman	Funderburk	Hughes
McGhee	Meadows	Riddle	Shumake	Webb

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SB 485, relating to security interests and liens, was taken up by Representative Kelly (24).

Representative Cierpiot offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 485, Page 4, Section 430.082, Line 66, by inserting after all of said section and line the following:

“430.240. No such lien shall be effective, however, unless a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital and the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries received, shall be sent by **certified** [registered] mail with return receipt requested, to the person or persons, firm or firms, corporation or corporations, if known, alleged to be liable to the injured party, if known, for the injuries sustained prior to the payment of any moneys to such injured person, his attorneys or legal representative, as compensation for such injuries. Such hospital shall send by **certified** [registered] mail with return receipt requested a copy of such notice to any insurance carrier, if known, which has insured such person, firm or corporation against such liability.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1** was adopted.

Representative Wells offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 485, Page 1, Section A, Line 3, by inserting after all of said line the following:

“301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may

prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is received for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

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On motion of Representative Wells, **House Amendment No. 2** was adopted.

On motion of Representative Kelly (24), **HCS SCS SB 485, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS SCS SB 485, as amended**, was read the third time and passed by the following vote:

AYES: 111

Allen	Anders	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brown 50	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McDonald
McGhee	McManus	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Quinn	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schupp	Shively	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Talboy	Thomson	Wallingford	Webber
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 039

Asbury	Atkins	Berry	Brattin	Brown 85
Burlison	Carter	Conway 27	Ellinger	Ellington
Fuhr	Holsman	Hummel	Jones 63	Jones 89
Kirkton	Leach	Marshall	May	McCann Beatty
McGeoghegan	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schoeller	Sifton	Spreng	Still	Taylor
Torpey	Walton Gray	Webb	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 013

Denison	Diehl	Funderburk	Guernsey	Hughes
McCreery	Meadows	Pollock	Redmon	Riddle
Shumake	Smith 71	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SB 563, relating to higher education, was taken up by Representative Leach.

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 7, Section 173.300, Line 205, by inserting after all of said line the following:

“173.480. 1. There is hereby created in the state treasury the "Higher Education Capital Fund", which shall consist of money collected under this section. The general assembly may appropriate moneys to the fund for the purpose of providing matching funds to public colleges or universities, as provided in this section.

2. Moneys in the fund may be distributed to public colleges or universities in the form of matching funds for the funding of capital projects. The state shall not issue bonds to provide funding under this section. No moneys shall be distributed through the fund without a line item appropriation for a specific project. A public college or university may use the matching funds for new construction, rehabilitation, maintenance, renovation, or reconstruction. A public college or university shall not use any matching funds received pursuant to this section for any athletic facilities, parking structures, or student housing.

3. Any matching funds distributed under this section shall be limited to the amount of fifty percent of the project's cost. To qualify for matching funds, a public college or university shall complete an application to the commissioner of higher education and demonstrate that it has obtained fifty percent of the project's cost through private donations or grants. No funds from the higher education capital fund shall be made available to match funds that a public college or university has obtained from its operating budget, tuition, fees, the issuance of revenue bonds or general obligation bonds, or from any state appropriation.

4. The commissioner of higher education shall create an application and establish procedures for public colleges or universities to follow to receive matching funds under this section. The commissioner of higher education may promulgate rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. The commissioner of higher education shall administer the higher education capital fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section.

6. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

7. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

8. For purposes of this section, "public colleges or universities" shall mean any public community college, public college, or public university located in the state of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Keeney assumed the Chair.

On motion of Representative Kelly (24), **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 11, Section 174.450, Line 66, by inserting after all of said section and line the following:

“177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Wallingford offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 8, Section 173.670, Line 29, by deleting all of said line and inserting in lieu thereof the following:

"provide Missouri middle school, junior high, and high school students with the opportunity to"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 3** was adopted.

Representative Korman offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 8, Section 173.670, Line 34, by inserting immediately after said line the following:

"173.1400. 1. The state of Missouri hereby authorizes accredited Missouri colleges and universities to issue on behalf of the state a document of school social work program verification and acknowledgment of completion to any individual who has obtained a degree in social work from an accredited college or university and who:

(1) Holds a credential in school social work issued by a nationally recognized credentialing organization in social work; or

(2) Demonstrates competency in school social work by successful passage of a school social worker examination approved by the state committee for social workers established in section 337.622 and administered by the accredited college or university.

2. The department of higher education shall develop a form, available upon request to Missouri colleges and universities, containing the following information:

(1) The words "State of Missouri";

(2) The seal of the state of Missouri;

- (3) A place for inclusion of the name of the issuing accredited Missouri college or university awarding the document;
- (4) A statement of the criteria outlined in subsection 1 of this section;
- (5) A place for inclusion of the name of the individual who has applied for the school social work program verification and acknowledgment of completion;
- (6) A place for inclusion of the date of issuance;
- (7) A place for the signatures of a college or university official and an official from the state department of higher education; and
- (8) A footnote stating: "No person shall hold himself or herself out to be a social worker unless such person has met the requirements of section 337.604."

3. The accredited Missouri college or university may issue a document on the state's behalf to any person making application as a credentialed school social worker provided such person meets the qualifications contained in this section."; and

Further amend said bill, Page 11, Section 174.450, Line 66, by inserting immediately after said line the following:

"337.647. 1. The committee shall develop a school social work program verification and acknowledgment of completion for individuals who have met the requirements set forth in this section.

2. The committee shall issue a document similar to the document described in subsection 2 of section 173.1400 to any individual who:

- (1) Submits an application to the board;**
- (2) Holds a credential in school social work issued by a nationally recognized credentialing organization in social work, or demonstrates competency in school social work by successful passage of a school social worker exam approved by the committee;**
- (3) Holds a license issued by the committee; and**
- (4) Submits the fee as required by rule of the committee.**

3. The committee shall promulgate rules and shall charge fees necessary to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

4. Notwithstanding any provision of law to the contrary, any school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall not be deemed a license, certificate, registration or permit for any purpose, and such documents convey no authority to practice social work in Missouri and convey no authority to use any social work title in Missouri. Each school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall state on its face that it:

- (1) Is not a license, certificate, registration or permit;**
- (2) Conveys no authority to practice social work in Missouri; and**
- (3) Conveys no authority to use any social work title in Missouri.**

5. Notwithstanding any provision of law to the contrary, school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall not:

- (1) Expire;**
- (2) Be subject to renewal;**
- (3) Be subject to denial or discipline under section 337.630;**
- (4) Be subject to suspension under section 324.010; or**
- (5) Be subject to any other action to which professional licenses may be subjected."; and**

Further amend said bill, Page 18, Section B, Line 6, by inserting after all of said line the following:

"Section C. Because of the need to provide school social work program verification and acknowledgement of completion before the start of the 2012-2013 school year, the enactment of section 173.1400 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be

an emergency act within the meaning of the constitution, and the enactment of section 173.1400 of this act shall be in full force and effect upon its passage."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 4** was adopted.

Representative Koenig offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Section A, Page 1, Line 3, by inserting the following after all of said line:

"166.415. 1. There is hereby created the "Missouri Higher Education Savings Program". The program shall be administered by the Missouri higher education savings program board which shall consist of the Missouri state treasurer who shall serve as chairman, the commissioner of the department of higher education, the commissioner of the office of administration, the director of the department of economic development, two persons having demonstrable experience and knowledge in the areas of finance or the investment and management of public funds, one of whom is selected by the president pro tem of the senate and one of whom is selected by the speaker of the house of representatives, and one person having demonstrable experience and knowledge in the area of banking or deposit rate determination and placement of depository certificates of deposit or other deposit investments. Such member shall be appointed by the governor with the advice and consent of the senate. The three appointed members shall be appointed to serve for terms of four years from the date of appointment, or until their successors shall have been appointed and shall have qualified. The members of the board shall be subject to the conflict of interest provisions of section 105.452. Any member who violates the conflict of interest provisions shall be removed from the board. In order to establish and administer the savings program, the board, in addition to its other powers and authority, shall have the power and authority to:

(1) Develop and implement the Missouri higher education savings program and, notwithstanding any provision of sections 166.400 to 166.455 to the contrary, the savings programs and services consistent with the purposes and objectives of sections 166.400 to 166.455;

(2) Promulgate reasonable rules and regulations and establish policies and procedures to implement sections 166.400 to 166.455, to permit the savings program to qualify as a "qualified state tuition program" pursuant to Section 529 of the Internal Revenue Code and to ensure the savings program's compliance with all applicable laws;

(3) Develop and implement educational programs and related informational materials for participants, either directly or through a contractual arrangement with a financial institution for investment services, and their families, including special programs and materials to inform families with young children regarding methods for financing education and training beyond high school;

(4) Enter into agreements with any financial institution, the state or any federal or other agency or entity as required for the operation of the savings program pursuant to sections 166.400 to 166.455;

(5) Enter into participation agreements with participants;

(6) Accept any grants, gifts, legislative appropriations, and other moneys from the state, any unit of federal, state, or local government or any other person, firm, partnership, or corporation for deposit to the account of the savings program;

(7) Invest the funds received from participants in appropriate investment instruments to achieve long-term total return through a combination of capital appreciation and current income;

(8) Make appropriate payments and distributions on behalf of beneficiaries pursuant to participation agreements;

(9) Make refunds to participants upon the termination of participation agreements pursuant to the provisions, limitations, and restrictions set forth in sections 166.400 to 166.455 and the rules adopted by the board;

(10) Make provision for the payment of costs of administration and operation of the savings program;

(11) Effectuate and carry out all the powers granted by sections 166.400 to 166.455, and have all other powers necessary to carry out and effectuate the purposes, objectives and provisions of sections 166.400 to 166.455 pertaining to the savings program; and

(12) Procure insurance, guarantees or other protections against any loss in connection with the assets or activities of the savings program.

2. Any member of the board may designate a proxy for that member who will enjoy the full voting privileges of that member for the one meeting so specified by that member. No more than three proxies shall be considered members of the board for the purpose of establishing a quorum.

3. Four members of the board shall constitute a quorum. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board. No action shall be taken by the board except upon the affirmative vote of a majority of the members present.

4. The board shall meet within the state of Missouri at the time set at a previously scheduled meeting or by the request of any four members of the board. Notice of the meeting shall be delivered to all other trustees in person or by depositing notice in a United States post office in a properly stamped and addressed envelope not less than six days prior to the date fixed for the meeting. The board may meet at any time by unanimous mutual consent. There shall be at least one meeting in each quarter.

5. The funds shall be invested only in those investments which a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims, as provided in section 105.688. **For new contracts entered into after August 28, 2012, board members shall study investment plans of other states and contract with or negotiate to provide benefit options the same as or similar to other states' qualified plans for the purpose of offering additional options for members of the plan.** The board may delegate to duly appointed investment counselors authority to act in place of the board in the investment and reinvestment of all or part of the moneys and may also delegate to such counselors the authority to act in place of the board in the holding, purchasing, selling, assigning, transferring or disposing of any or all of the securities and investments in which such moneys shall have been invested, as well as the proceeds of such investments and such moneys. Such investment counselors shall be registered as investment advisors with the United States Securities and Exchange Commission. In exercising or delegating its investment powers and authority, members of the board shall exercise ordinary business care and prudence under the facts and circumstances prevailing at the time of the action or decision. No member of the board shall be liable for any action taken or omitted with respect to the exercise of, or delegation of, these powers and authority if such member shall have discharged the duties of his or her position in good faith and with that degree of diligence, care and skill which a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims.

6. No investment transaction authorized by the board shall be handled by any company or firm in which a member of the board has a substantial interest, nor shall any member of the board profit directly or indirectly from any such investment.

7. No trustee or employee of the savings program shall receive any gain or profit from any funds or transaction of the savings program. Any trustee, employee or agent of the savings program accepting any gratuity or compensation for the purpose of influencing such trustee's, employee's or agent's action with respect to the investment or management of the funds of the savings program shall thereby forfeit the office and in addition thereto be subject to the penalties prescribed for bribery.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Koenig, **House Amendment No. 5** was adopted.

Representative Webber offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 11, Section 174.450, Line 66, by inserting after all of said section and line the following:

“301.449. [Any] **Only** a community college or four-year public or private institution of higher education, **or a foundation or organization representing the college or institution**, located in the state of Missouri may **itself** authorize **or may by the director of revenue be authorized to use the school's** [the use of its] official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to such institution derived from this section, except reasonable administrative costs, shall be used for scholarship endowment or other academically related purposes. Any vehicle owner may annually apply to the institution for the use of the emblem. Upon annual

application and payment of an emblem use contribution to the institution, which shall be set by the governing body of the institution at an amount of at least twenty-five dollars, the institution shall issue to the vehicle owner, without further charge, an "emblem use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the institution, to the vehicle owner.

The license plate authorized by this section shall use the school colors of the institution, and those colors shall be constructed upon the license plate using a process to ensure that the school emblem shall be displayed upon the license plate in the clearest and most attractive manner possible. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The license plate authorized by this section shall be issued with a design approved by both the institution of higher education and the advisory committee established in section 301.129. A vehicle owner, who was previously issued a plate with an institutional emblem authorized by this section and does not provide an emblem use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the institutional emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms including establishing a minimum number of license plates which can be issued with the authorized emblem of a participating institution.

301.3150. 1. An organization, other than an organization seeking a special military license plate **or a collegiate or university plate**, that seeks authorization to establish a new specialty license plate shall initially petition the department of revenue by submitting the following:

(1) An application in a form prescribed by the director for the particular specialty license plate being sought, describing the proposed specialty license plate in general terms and have a sponsor of at least one current member of the general assembly **in the same legislative session in which the application is reviewed pursuant to subsection 5 of section 21.795, RSMo**. The application may contain written testimony for support of this specialty plate;

(2) Each application submitted pursuant to this section shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate if the specialty plate is approved pursuant to this section;

(3) An application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing and programming the implementation of the specialty plate, if authorized; and

(4) All moneys received by the department of revenue, for the reviewing and development of specialty plates shall be deposited in the state treasury to the credit of the "Department of Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall be custodian of the fund and shall make disbursements from the fund requested by the Missouri director of revenue for personal services, expenses, and equipment required to prepare, review, develop, and disseminate a new specialty plate and process the two hundred applications to be submitted once the plate is approved and to refund deposits for the application of such specialty plate, if the application is not approved by the joint committee on transportation oversight and for no other purpose.

2. At the end of each state fiscal year, the director of revenue shall:

(1) Determine the amount of all moneys deposited into the department of revenue specialty plate fund;

(2) Determine the amount of disbursements from the department of revenue specialty plate fund which were made to produce the specialty plate and process the two hundred applications; and

(3) Subtract the amount of disbursements from the income figure referred to in subdivision (1) of this subsection and deliver this figure to the state treasurer.

3. The state treasurer shall transfer an amount of money equal to the figure provided by the director of revenue from the department of revenue specialty plate fund to the state highway department fund. An unexpended balance in the department of revenue specialty plate fund at the end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the provisions of section 33.080 relating to transfer of unexpended balances to the general revenue fund.

4. The documents and fees required pursuant to this section shall be submitted to the department of revenue by July first prior to the next regular session of the general assembly to be approved or denied by the joint committee on transportation oversight during that legislative session.

5. The department of revenue shall give notice of any proposed specialty plate in a manner reasonably calculated to advise the public of such proposal. Reasonable notice shall include posting the proposal for the specialty plate on the department's official public website, and making available copies of the specialty plate application to any representative of the news media or public upon request and posting the application on a bulletin board or other

prominent public place which is easily accessible to the public and clearly designated for that purpose at the principal office.

6. Adequate notice conforming with all the requirements of subsection 5 of this section shall be given not less than four weeks, exclusive of weekends and holidays when the facility is closed, after the submission of the application by the organization to the department of revenue. Written or electronic testimony in support or opposition of the proposed specialty plate shall be submitted to the department of revenue by November thirtieth of the year of filing of the original proposal. All written testimony shall contain the printed name, signature, address, phone number, and email address, if applicable, of the individual giving the testimony.

7. The department of revenue shall submit for approval all applications for the development of specialty plates to the joint committee on transportation oversight during a regular session of the general assembly for approval.

8. If the specialty license plate requested by an organization is approved by the joint committee on transportation oversight, the organization shall submit the proposed art design for the specialty license plate to the department as soon as practicable, but no later than sixty days after the approval of the specialty license plate. If the specialty license plate requested by the organization is not approved by the joint committee on transportation oversight, ninety-seven percent of the application fee shall be refunded to the requesting organization.

9. An emblem-use authorization fee may be charged by the organization prior to the issuance of an approved specialty plate. The organization's specialty plate proposal approved by the joint committee on transportation oversight shall state what fee is required to obtain such statement and if such fee is required annually or biennially, if the applicant has a two-year registration. An organization applying for specialty plates shall authorize the use of its official emblem to be affixed on multiyear personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the organization derived from the emblem-use contribution, except reasonable administrative costs, shall be used solely for the purposes of the organization. Any member of the organization or nonmember, if applicable, may annually apply for the use of the emblem, if applicable.

10. The department shall begin production and distribution of each new specialty license plate within one year after approval of the specialty license plate by the joint committee on transportation oversight.

11. The department shall issue a specialty license plate to the owner who meets the requirements for issuance of the specialty plate for any motor vehicle such owner owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

12. Each new or renewed application for an approved specialty license plate shall be made to the department of revenue, accompanied by an additional fee of fifteen dollars and the appropriate emblem-use authorization statement.

13. The appropriate registration fees, fifteen dollar specialty plate fee, processing fees and documents otherwise required for the issuance of registration of the motor vehicle as set forth by law must be submitted at the time the specialty plates are actually issued and renewed or as otherwise provided by law. However, no additional fee for the personalization of this plate shall be charged.

14. Once a specialty plate design is approved, a request for such plate may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, all documentation, credits, and fees provided for in this chapter when replacing a current license plate shall apply.

15. A vehicle owner who was previously issued a plate with an organization emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration if required, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law.

16. Specialty license plates shall bear a design approved by the organization submitting the original application for approval by the joint committee on transportation oversight. The design shall be within the plate area prescribed by the director of revenue, and the designated organization's name or slogan shall be in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this section.

In addition to a design, the specialty license plates shall be in accordance with criteria and plate design set forth in this chapter.

17. The department is authorized to discontinue the issuance and renewal of a specialty license plate if the organization has stopped providing services and emblem-use authorization statements are no longer being issued by the organization. Such organizations shall notify the department immediately to discontinue the issuance of a specialty plate.

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18. The organization that requested the specialty license plate shall not redesign the specialty personalized license plate unless such organization pays the director in advance all redesigned plate fees. All plate holders of such plates must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Schoeller	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Carter	Curtman	Day	Diehl
Dugger	Franklin	Funderburk	Hughes	Meadows
Riddle	Scharnhorst	Shumake	Wells	

On motion of Representative Webber, **House Amendment No. 6** was adopted.

Representative Torpey offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 11, Section 174.450, Line 66, by inserting after all of said section and line, the following:

“620.2400. 1. There is hereby established the "Missouri Entrepreneur Resource Virtual Network (MERNV)" to be managed by Missouri small business and technology development centers. The centers shall seek sufficient private sector funding to develop, maintain, and market a virtual network to provide seamless access to statewide resources and expertise for entrepreneurs and existing businesses using private sector funding. Private sector funding shall be for general support of the virtual network and shall not be used to sponsor specific portions of the network. The network shall disclose the value of the donations and names of private sector organizations providing funding for the network. The network shall provide resources for small businesses regarding requirements for starting a business. The network shall connect Missouri entrepreneurs to available state and nonstate supported services and technical assistance. In developing and maintaining the network, the centers shall ensure that all listed resources meet established standards. The goal of the network is to assist in the creation of new Missouri ventures, the growth of existing businesses, and the ability of Missouri entrepreneurs to compete globally. To the greatest extent possible, the network shall be built on and linked to existing resources designed to make business assistance resources more accessible to Missouri businesses.

2. The network must have specific sections containing information for anyone considering starting a business, information for anyone that has decided to start a Missouri business, information about expanding a Missouri business, information about moving a business to Missouri from another state, and information about moving a business to Missouri from another country, with links to each section prominently displayed on the website home page. Missouri small business and technology development centers must apply search engine optimization to the website's content to achieve top search engine rankings.

3. Any portion of the network that involves state information systems or state websites is subject to the authority of the centers, including, but not limited to:

- (1) Evaluation and approval;**
- (2) Review to ensure compliance with security policies, guidelines, and standards; and**
- (3) Assurance of compliance with accessibility standards.**

3. By September 30, 2012, the centers shall report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over economic development and state government finances on the centers' plans and progress toward the development of the network under this section. Included in the report shall be detailed information on donations received and expenditures by the Missouri small business and technology development centers on the MERNV.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 7** was adopted.

Representative Loehner moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher

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Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Cauthorn	Diehl	Funderburk	Gatschenberger
Grisamore	Hughes	Long	McGhee	Meadows
Riddle	Scharnhorst	Shumake	Talboy	Mr Speaker

On motion of Representative Leach, **HCS SCS SB 563, as amended**, was adopted.

On motion of Representative Leach, **HCS SCS SB 563, as amended**, was read the third time and passed by the following vote:

AYES: 151

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89

Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Carter	Cauthorn	Diehl	Flanigan
Funderburk	Gatschenberger	Grisamore	Hughes	Meadows
Riddle	Shumake			

Representative Keeney declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 119

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Brandom	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Molendorp	Nance
Nasheed	Neth	Nolte	Oxford	Pace
Phillips	Quinn	Redmon	Reiboldt	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen

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Swinger	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 030

Bahr	Berry	Black	Brattin	Carlson
Colona	Ellinger	Ellington	Hampton	Hodges
Hummel	Jones 63	Kirkton	Lasater	Marshall
May	McCann Beatty	McCreery	McManus	Montecillo
Morgan	Newman	Nichols	Parkinson	Pierson
Schupp	Sommer	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Carter	Cauthorn	Denison	Diehl
Flanigan	Funderburk	Hughes	Jones 117	Meadows
Pollock	Richardson	Riddle	Shumake	

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS SCS HCS HB 1402: Representatives Burlison, Torpey, Silvey, Talboy and Carlson

HCS SS SCS SB 470: Representatives Burlison, Smith (150), Denison, Meadows and Fallert

THIRD READING OF SENATE BILLS

SB 599, relating to gifted education, was taken up by Representative Dieckhaus.

Representative Fitzwater offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 599, Page 2, Section 160.522, Line 51, by inserting after all of said section and line the following:

"163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United States district court for the eastern district of Missouri in December 2012 in the case of *United States of America and State of Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company," and the Buick Resource Recycling Facility, LLC*, because of environmental violations shall not be included in any district's "local effort" figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 1** was adopted.

Representative Smith (150) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 599, Page 2, Section 160.522, Line 51, by inserting after all of said section and line the following:

“Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations’ activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered House Amendment No. 1 to House Amendment No. 2.

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to Senate Bill No. 599, Page 1, Line 21, by inserting after all of said line the following:

‘Further amend said bill, Page 2, Section 160.522, Line 51, by inserting after all of said section and line the following:

“178.530. 1. The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational

education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Smith (150), **House Amendment No. 2, as amended**, was adopted.

Representative Stream offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Bill No. 599, Page 2, Section 160.522, Line 51, by inserting after all of said line the following:

"170.310. 1. For school year 2014-15, and each school year thereafter, no pupil shall receive a certificate of graduation from any public, charter, or private school unless he or she has satisfactorily participated in instruction in cardiopulmonary resuscitation meeting the standards established in this section. Students with disabilities shall participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.

2. Beginning in school year 2014-15, schools serving grades nine through twelve shall provide enrolled students instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course. Instruction shall be based on a program established by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines, and psychomotor skills development shall be incorporated into the instruction. For purposes of this section, "psychomotor skills" means the use of hands-on practicing and skills testing to support cognitive learning.

3. The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

4. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. The requirements of this section shall not apply to a private school that objects on religious grounds, provided the school maintains its own personnel trained in cardiopulmonary resuscitation."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bahr offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Bill No. 599, Page 1, Line 5, by removing all of said line and inserting in lieu thereof the following:

“from any public or charter school unless he or she has”; and

Further amend said amendment, Page 2, Lines 17-20, by removing all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 1 to House Amendment No. 3** was adopted.

Representative Neth offered **House Amendment No. 2 to House Amendment No. 3**.

House Amendment No. 2
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Bill No. 599, Page 1, Line 3, by deleting said line and inserting in lieu thereof the following:

“170.045. 1. Any public school may offer one or more courses in ballroom dance, square dance, or country dance. These activities shall be treated as a qualified physical education activity and as a fine arts activity for academic credit granting and receiving purposes when offered by a public school.

2. Any student enrolled in a public school in this state that offers a ballroom dance, square dance, or country dance course or courses may earn academic credit for such course by completing the course with a passing grade.

3. Academic credit received for taking a ballroom dance, square dance, or country dance course shall be counted toward satisfaction of any physical education or fine arts requirements of the public school, including any entrance requirements of any public institution of higher education.

170.310. 1. For school year 2014-15, and each school year”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Neth, **House Amendment No. 2 to House Amendment No. 3** was adopted.

Representative Hough offered **House Amendment No. 3 to House Amendment No. 3**.

Representative Lampe raised a point of order that **House Amendment No. 3 to House Amendment No. 3** goes beyond the scope of the bill.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Stream, **House Amendment No. 3, as amended**, was adopted.

Representative Burlison offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Bill No. 599, Page 2, Section 160.522, Line 31, by inserting immediately after the word “**program.**” the following:

“Data collected on gifted students shall be collected in such a manner as to make possible tracking postsecondary outcomes of such students, so that comparisons can be made between gifted students who participate in state-approved gifted programs and services and gifted students who do not participate in such programs or services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nasheed offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to Senate Bill No. 599, Page 1, Line 6, by inserting after all of said line the following:

‘Further amend said bill, section and page, Line 51, by inserting after all of said line the following:

“167.780. 1. Prior to the end of the student's seventh grade year, and in conjunction with the student's parent or guardian, each school district shall be responsible for ensuring that each student develops a personal plan of study based upon standards adopted under this section.

2. The school district shall adopt all necessary policies to implement a comprehensive guidance and counseling program focusing on career awareness in the elementary grades, career exploration at the middle grades, and educational and career planning at the high school level, with the goal of ensuring that all students will possess the knowledge and skills to develop and implement a personal plan of study.

3. The school district policy shall include, but not be limited to, the following elements:

(1) Active participation by counselors, teachers, administrators, as well as involvement of the student's parent or guardian in the development, review and revision of personal plans of study;

(2) Adequate resources and training for the development of personal plans of study;

(3) Adequate time and opportunity for schools to implement the individual planning process required in the development of personal plans of study;

(4) Access to the statewide, web-based educational and career planning system sponsored by the department of elementary and secondary education; and

(5) Opportunities for community involvement in the program, including activities such as job shadowing, volunteer experience, and internship experiences related to the educational and career goals of the student.

4. The personal plan of study shall be reviewed at least annually by school personnel and the student's parent or guardian and updated based upon the needs of the student. Each plan shall cover a term of eight years or until the student has reached his or her post-secondary goals, with implementation of the plan of study transferring to the program of post-secondary education or training upon the student's graduation. The plan shall include, but not be limited to:

(1) Requirements for graduation from the school district;

(2) Career or post-secondary goals based on career paths or career clusters;

(3) Course work or program of study related to career and post-secondary goals;

(4) Grade-appropriate, career-related experiences, as outlined in the grade level expectations of the Missouri Comprehensive Guidance Program;

(5) Student assessments, interest inventories or academic results needed to develop, review, and revise the personal plan of study; and

(6) Opportunities for a post-secondary experience based on the results of well-planned exploration and knowledge of all post-secondary opportunities including but not limited to on-site or virtual visits, internship, exploration and planning for financial aid, dual and articulated credit, advanced placement course work and other relevant experiences, as appropriate.

5. Except for transferring the implementation of a student's personal plan on to a training program or higher education institution, nothing in this section shall require a district to be responsible for maintaining or updating a student's personal plan or meeting the annual meeting requirement when the student is no longer enrolled in the district.

6. Notwithstanding any provision of this section, when a student leaves a district, a copy of the student's personal plan shall be made available to the student or student's parents for their review, implementation, and development.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nasheed, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Burlison, **House Amendment No. 4, as amended**, was adopted.

Representative Franz offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Bill No. 599, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

“160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030;
- (6) Forcible sodomy under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;

- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) Sexual assault under section 566.040;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) Deviate sexual assault pursuant to section 566.070;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse pursuant to section 566.100;
- (24) Harassment under section 565.090; or

(25) Stalking under section 565.225; committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or
- (4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

- (1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;
- (2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

- (1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's

division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the [juvenile officer or] **law enforcement** in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the [juvenile officer or a] law enforcement officer [designated by the juvenile officer] and the superintendent of schools or, if the subject of the report is the superintendent of schools, by [the juvenile officer or] a law enforcement officer [designated by the juvenile officer] and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The [juvenile officer or a] law enforcement officer [designated by the juvenile officer] and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The [juvenile officer or a] law enforcement officer [designated by the juvenile officer] and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The [juvenile officer or a] law enforcement officer [designated by the juvenile officer] and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The [juvenile officer or a] law enforcement officer [designated by the juvenile officer] and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or [juvenile] **law enforcement** officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 5** was adopted.

On motion of Representative Dieckhaus, **SB 599, as amended**, was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Quinn
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	

NOES: 009

Asbury	Brattin	Burlison	Koenig	Lasater
Marshall	Pollock	Schad	White	

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Funderburk	Grisamore	Hughes	Meadows
Oxford	Redmon	Riddle	Shumake	Mr Speaker

Representative Keeney declared the bill passed.

1970 *Journal of the House*

The emergency clause was adopted by the following vote:

AYES: 116

Allen	Aull	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 50	Brown 85	Brown 116
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McDonald	McManus	McNary	Molendorp	Morgan
Nance	Nasheed	Neth	Nolte	Phillips
Quinn	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Silvey	Smith 71
Smith 150	Solon	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 031

Anders	Asbury	Atkins	Bahr	Brattin
Burlison	Colona	Ellington	Koenig	Lasater
Marshall	May	McCreery	McGeoghegan	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Parkinson	Pierson	Rizzo	Schupp	Sifton
Sommer	Spreng	Still	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 016

Carlson	Carter	Curtman	Ellinger	Funderburk
Grisamore	Hughes	McGhee	Meadows	Pollock
Redmon	Riddle	Scharnhorst	Shumake	Webber
Mr Speaker				

HCS SCS SB 631, relating to agriculture, was taken up by Representative Reiboldt.

Representative Reiboldt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 20, Section 537.850, Line 1, by deleting the number "**537.862**" and inserting in lieu thereof the number "**537.859**"; and

Further amend said bill, page and section, Line 26, by deleting the number "**537.853**" and inserting in lieu thereof the number "**261.230**"; and

Further amend said bill, Page 21, Section 537.856, Line 22, by deleting the phrase "**section 537.853**" and inserting in lieu thereof the words "**subdivision (6) of subsection 2 of section 537.850**"; and

Further amend said bill, page, section and line, by deleting the number "**537.862**" and inserting in lieu thereof the number "**537.859**"; and

Further amend said bill, Page 22, Section 537.859, Line 8, by deleting the number "**537.862**" and inserting in lieu thereof the number "**537.859**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Reiboldt, **House Amendment No. 1** was adopted.

Representative Guernsey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 18, Section 304.180, Line 133, by inserting after all of said section and line the following:

"350.015. After September 28, 1975, no corporation not already engaged in farming shall engage in farming; nor shall any corporation, directly or indirectly, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to agricultural land in this state; provided, however, that the restrictions set forth in this section shall not apply to the following:

(1) A bona fide encumbrance taken for purposes of security;

(2) A family farm corporation or an authorized farm corporation as defined in section 350.010;

(3) Agricultural land and land capable of being used for farming owned by a corporation as of September 28, 1975, including the normal expansion of such ownership at a rate not to exceed twenty percent, measured in acres, in any five-year period, or agricultural land and land capable of being used for farming which is leased by a corporation in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of September 28, 1975, and the additional acreage for normal expansion at a rate not to exceed twenty percent in any five-year period, and the additional acreage reasonably necessary, whether to be owned or leased by a corporation, to meet the requirements of pollution control regulations;

(4) A farm operated wholly for research or experimental purposes, including seed research and experimentation and seed stock production for genetic improvements, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(5) Agricultural land operated by a corporation for the purposes of growing nursery plants, vegetables, grain or fruit used exclusively for brewing or winemaking or distilling purposes and not for resale, for forest cropland or for the production of poultry, poultry products, fish or mushroom farming, production of registered breeding stock for sale to farmers to improve their breeding herds, for the production of raw materials for pharmaceutical manufacture, chemical processing, food additives and related products, and not for resale;

(6) Agricultural land operated by a corporation for the purposes of alfalfa dehydration exclusively and only as to said lands lying within fifteen miles of a dehydrating plant, and provided further said crops raised thereon shall be used only for further processing and not for resale in its original form;

(7) Any interest, when acquired by an educational, religious, or charitable not-for-profit or pro forma corporation or association;

(8) Agricultural land or any interest therein acquired by a corporation other than a family farm corporation or authorized farm corporation, as defined in section 350.010, for immediate or potential use in nonfarming purposes. A corporation may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or an authorized farm corporation, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914), as amended, or a subsidiary or assign of such a corporation;

(9) Agricultural lands acquired by a corporation by process of law or voluntary conveyance in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that any corporation may hold for ten years real estate acquired in payment of a debt, by foreclosure or otherwise, and for such longer period as may be provided by law;

(10) The provisions of sections 350.010 to 350.030 shall not apply to the raising of hybrid hogs in connection with operations designed to improve the quality, characteristics, profitability, or marketability of hybrid hogs through selective breeding and genetic improvement where the primary purpose of such livestock raising is to produce hybrid hogs to be used by farmers and livestock raisers for the improvement of the quality of their herds;

(11) A bank or trust company acting as administrator or executor under the terms of a will or trustee under the terms of a testamentary or inter vivos trust created by the owner of a family farm, or an inter vivos or testamentary trust, the principal of which is shares of a family farm corporation or authorized farm corporation and which trust is created by a shareholder of the family farm corporation or authorized farm corporation. However, a bank or trust company acting in the administration of an investment trust or a management trust formed with the primary purpose of making or managing investments or income-producing property and purchasing agricultural real estate with trust funds with the primary benefits accruing to investors or shareholders in the trust is not exempt from the provisions of sections 350.010 to 350.030;

(12) Agricultural land that on June 1, 1998, was in compliance with section 350.016;

(13) Agricultural land in compliance with section 350.017.

350.017. The restrictions under section 350.015 shall not apply to agricultural land in use as of September 28, 2007 by a corporation, limited liability company, or limited liability partnership for the production of swine or swine products located in:

(1) Any county of the third classification without a township form of government and with fewer than two thousand five hundred inhabitants;

(2) Any county of the third classification with a township form of government and with more than six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than one thousand seven hundred but fewer than one thousand nine hundred inhabitants as the county seat; or

(3) Any county of the third classification with a township form of government and with more than eight thousand but fewer than nine thousand inhabitants and with a city of the fourth classification with more than one thousand seven hundred but fewer than one thousand nine hundred inhabitants as the county seat."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Loehner offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 3, Line 2, by inserting immediately following the number “**350.017.**” the number “**1.**”; and

Further amend said page, Line 14, by deleting all of said line and inserting in lieu thereof the following:

“**hundred inhabitants as the county seat.**

2. Any such corporation, limited liability company, or limited liability partnership engaged in such farming activity or land ownership as of September 28, 2007, shall not expand its operations, including but not limited to purchasing land or constructing new buildings.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sater moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

1974 *Journal of the House*

ABSENT WITH LEAVE: 024

Brattin	Brown 50	Carter	Cross	Dieckhaus
Diehl	Franklin	Funderburk	Hinson	Hubbard
Hughes	Jones 117	Long	McDonald	McManus
McNary	Meadows	Nasheed	Parkinson	Phillips
Pollock	Riddle	Shumake	Mr Speaker	

Representative Loehner moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Denison moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
Molendorp	Nance	Neth	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 019

Carter	Cross	Dieckhaus	Flanigan	Franklin
Funderburk	Hinson	Hughes	Lair	Long
McNary	Meadows	Nasheed	Nolte	Parkinson
Riddle	Schoeller	Shumake	Weter	

On motion of Representative Guernsey, **House Amendment No. 2** was adopted.

Representative Smith (150) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 28, Section 2, Line 6, by inserting after all of said line the following:

“Section 3. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations’ activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 3 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 3 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 3** was adopted.

Representative Torpey offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 28, Section 578.030, Line 29, by inserting after all of said section and line, the following:

“620.2400. 1. There is hereby established the "Missouri Entrepreneur Resource Virtual Network (MERVN)" to be managed by Missouri small business and technology development centers. The centers shall seek sufficient private sector funding to develop, maintain, and market a virtual network to provide seamless access to statewide resources and expertise for entrepreneurs and existing businesses using private sector funding. Private sector funding shall be for general support of the virtual network and shall not be used to sponsor specific portions of the network. The network shall disclose the value of the donations and names of private sector organizations providing funding for the network. The network shall provide resources for small businesses

regarding requirements for starting a business. The network shall connect Missouri entrepreneurs to available state and nonstate supported services and technical assistance. In developing and maintaining the network, the centers shall ensure that all listed resources meet established standards. The goal of the network is to assist in the creation of new Missouri ventures, the growth of existing businesses, and the ability of Missouri entrepreneurs to compete globally. To the greatest extent possible, the network shall be built on and linked to existing resources designed to make business assistance resources more accessible to Missouri businesses.

2. The network must have specific sections containing information for anyone considering starting a business, information for anyone that has decided to start a Missouri business, information about expanding a Missouri business, information about moving a business to Missouri from another state, and information about moving a business to Missouri from another country, with links to each section prominently displayed on the website home page. Missouri small business and technology development centers must apply search engine optimization to the website's content to achieve top search engine rankings.

3. Any portion of the network that involves state information systems or state websites is subject to the authority of the centers, including, but not limited to:

- (1) Evaluation and approval;
- (2) Review to ensure compliance with security policies, guidelines, and standards; and
- (3) Assurance of compliance with accessibility standards.

3. By September 30, 2012, the centers shall report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over economic development and state government finances on the centers' plans and progress toward the development of the network under this section. Included in the report shall be detailed information on donations received and expenditures by the Missouri small business and technology development centers on the MERVN.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 4** was adopted.

Representative Kelley (126) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 1, Section 1.195, Line 4, by inserting after all of said section and line, the following:

“9.155. The month of November shall be designated as "Pancreatic Cancer Awareness Month" in Missouri. The citizens of the state of Missouri are encouraged to participate in appropriate activities and events to increase awareness of pancreatic cancer, which is incurable and has a low rate of survival due to the advanced stage of the disease when symptoms typically present themselves.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (126), **House Amendment No. 5** was adopted.

Representative Nance offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 5, Section 178.530, Line 30, by inserting after all of said section and line the following:

“208.182. 1. [The division of family services shall establish pilot projects in St. Louis City and in any county with a population of six hundred thousand or more, which shall provide for a system of electronic transfer of benefits to public assistance recipients. Such system shall allow recipients to obtain cash from automated teller machines or point of sale terminals. If less than the total amount of benefits is withdrawn, the recipient shall be given a receipt showing

the current status of his account.] **The department of social services shall seek a waiver from the federal government to mandate the use of photo identification for continued eligibility in the food stamp program administered in Missouri. Upon one year after approval by the federal government, the department shall issue a photo identification card to each eligible household member who is sixteen years of age or older. Upon request, a household member, or the household's authorized representative, shall present the photo identification card at issuance points, retail food stores, or meal services when exchanging benefits for eligible food.**

2. The disclosure of any information provided to a financial institution, business or vendor by the [division of family services] **department** pursuant to this section is prohibited. Such financial institution, business or vendor may not use or sell such information and may not divulge the information without a court order. Violation of this subsection is a class A misdemeanor.

3. [Subject to appropriations and subject to receipt of waivers from the federal government to prevent the loss of any federal funds, the department of social services shall require the use of photographic identification on electronic benefit transfer cards issued to recipients in this system. Such photographic identification electronic benefit transfer card shall be in a form approved by the department of social services.

4.] The [division of family services] **department** shall promulgate rules and regulations necessary to implement the provisions of this section pursuant to section 660.017 and chapter 536. **The rules shall ensure compliance with federal law, taking into account individuals and households with special needs as well as ensuring that all appropriate household members or authorized representatives are able to access benefits from the account as necessary.**

[5.] 4. The delivery of electronic benefits and the electronic eligibility verification, including, but not limited to, [aid to families with dependent children (AFDC)] **temporary assistance for needy families (TANF)**, women, infants and children (WIC), early periodic screening diagnosis and treatment (EPSDT), food stamps, supplemental security income (SSI), including Medicaid, child support, and other programs, shall reside in one card that may be enabled by function from time to time in a convenient manner.

208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance and has no prior convictions under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department to meet at least one of the following conditions:

(1) **Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health;**

(2) **Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity;**

(3) **Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse;**

(4) **Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole;**

(5) **Has demonstrated sobriety through voluntary urinalysis testing paid for by the participant; or**

(6) **It has been more than four years since the conviction for a drug related felony.**

2. **Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant shall meet all other factors for program eligibility.**

3. **The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section, including specifying criteria for determining active participation in and completion of a substance abuse treatment program.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nance moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative McCreery offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 5, Section 262.005, Lines 4-5, by deleting all of said lines and inserting in lieu thereof the following:

“a manner adhering to state and local laws and ordinances.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCreery moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Smith (150) offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 25, Section 575.124, Line 6, by inserting after all of said section, the following:

“578.005. As used in sections 578.005 to 578.023, the following terms shall mean:

(1) "Adequate care", normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal;

(2) "Adequate control", to reasonably restrain or govern an animal so that the animal does not injure itself, any person, any other animal, or property;

(3) "Animal", every living vertebrate except a human being;

(4) "Animal shelter", a facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other not-for-profit organization devoted to the welfare, protection, and humane treatment of animals;

(5) "Farm animal", an animal raised on a farm or ranch and used or intended for use in farm or ranch production, or as food or fiber;

(6) **"Farm animal professional", any individual employed at a location where farm animals are harbored;**

(7) "Harbor", to feed or shelter an animal at the same location for three or more consecutive days;

[(7)] (8) "Humane killing", the destruction of an animal accomplished by a method approved by the American Veterinary Medical Association's Panel on Euthanasia (JAVMA 173: 59-72, 1978); or more recent editions, but animals killed during the feeding of pet carnivores shall be considered humanely killed;

[(8)] (9) "Owner", in addition to its ordinary meaning, any person who keeps or harbors an animal or professes to be owning, keeping, or harboring an animal;

[(9)] (10) "Person", any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;

[(10)] (11) "Pests", birds, rabbits, or rodents which damage property or have an adverse effect on the public health, but shall not include any endangered species listed by the United States Department of the Interior nor any endangered species listed in the Wildlife Code of Missouri.

578.013. 1. Whenever any farm animal professional videotapes or otherwise makes a digital recording of what he or she believes to depict a farm animal subjected to abuse or neglect under sections 578.009 or 578.012, such farm animal professional shall have a duty to submit such videotape or digital recording to a law enforcement agency within twenty-fours of the recording.

2. No videotape or digital recording submitted under subsection 1 of this section shall be spliced, edited, or manipulated in any way prior to its submission.

3. A violation of any provision of this section is a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris offered **House Amendment No. 1 to House Amendment No. 8.**

*House Amendment No. 1
to
House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 2, Line 10, by deleting the words, "**A violation**" and inserting in lieu thereof the words, "**An intentional violation**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Harris, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Smith (150), **House Amendment No. 8, as amended**, was adopted.

Representative Holsman offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 9, Section 262.750, Line 8, by inserting after all of said line the following:

"262.900. 1. As used in this section, the following terms mean:

(1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed state, that has been produced, processed, or otherwise had value added to it in this state;

(2) "Blighted area", that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;

(3) "Department", department of agriculture;

(4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(5) "Grower UAZ", a type of UAZ:

(a) That can either grow produce, raise livestock, or produce other value-added agricultural products;

(b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty domesticated animals; and

(c) Is a qualifying small business that is approved by the department;

(6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(7) "Locally grown", a product that was grown or raised in the same county or city not within a county in which the UAZ is located or in an adjoining county or city not within a county. For a product raised or sold in a city not within a county, locally grown also includes an adjoining county with a charter form of government with more than nine hundred fifty thousand and those counties adjoining said county;

(8) "Processing UAZ", a type of UAZ:

- (a) That processes livestock or poultry for human consumption;
 - (b) That meets federal and state processing laws and standards; and
 - (c) Is a qualifying small business approved by the department;
 - (9) "Meat", any edible portion of a livestock or poultry carcass or part thereof;
 - (10) "Meat product", anything containing meat intended for or capable of use for human consumption, which is derived, in whole or in part, from livestock or poultry;
 - (11) "Poultry", any domesticated bird intended for human consumption;
 - (12) "Qualifying small business", those enterprises which are established within an urban agricultural zone subsequent to its creation, and which meet the definition established for the small business administration and set forth in Section 121.301 of Part 121 of Title 13 of the Code of Federal Regulations;
 - (13) "Value-added agricultural products", any product or products that are the result of:
 - (a) Using an agricultural product grown in this state to produce a meat or dairy product in this state;
 - (b) A change in the physical state or form of the original agricultural product;
 - (c) An agricultural product grown in this state which has had its value enhanced by special production methods such as organically grown products; or
 - (d) A physical segregation of a commodity or agricultural product grown in this state that enhances its value such as identity preserved marketing systems;
 - (14) "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical area as defined by the United States Office of Budget and Management that has one or more of the following entities that is a qualifying small businesses, and approved by the department, as follows:
 - (a) Any organization or person who grows produce or other agricultural products;
 - (b) Any organization or person who raises livestock or poultry;
 - (c) Any organization or person who processes livestock or poultry; or
 - (d) Any organization that sells at a minimum seventy-five percent locally grown food;
 - (15) "Vending UAZ", a type of UAZ:
 - (a) That sells produce, meat, or locally grown value-added agricultural products;
 - (b) That is able to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program as a form of payment; and
 - (c) Is a qualifying small business that is approved by the department for an UAZ vendor license.
2. (1) A person or organization shall submit to any incorporated municipality an application to develop an UAZ on a blighted area of land. Such application shall demonstrate or identify on the application:
- (a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or a combination of all three types of UAZs provided in this paragraph, in which case the person or organization shall meet the requirements of each type of UAZ in order to qualify;
 - (b) The number of jobs to be created;
 - (c) The types of products to be produced; and
 - (d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program if selling products to consumers.
- (2) A municipality shall review and modify the application as necessary before either approving or denying the request to establish an UAZ.
- (3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the development of the UAZ. After twenty-five years, the UAZ shall dissolve. If the municipality finds during its review that the UAZ is not meeting the requirements set out in this section, the municipality may dissolve the UAZ.
3. The governing authority of any municipality planning to seek designation of an urban agricultural zone shall establish an urban agricultural zone board. The number of members on the board shall be seven. One member of the board shall be appointed by the school district or districts located within the area proposed for designation as an enhanced enterprise zone. Two members of the board shall be appointed by other affected taxing districts. The remaining four members shall be chosen by the chief elected official of the municipality. The four members chosen by the chief elected officer of the municipality shall each be residents of the county or city not within a county in which the UAZ is to be located, and at least one of such four members shall have experience in or represent organizations associated with sustainable agriculture, urban farming, community gardening, or any of the activities or products authorized by this section for UAZs.
4. The school district member and the two affected taxing district members shall each have initial terms of five years. Of the four members appointed by the chief elected official, two shall have initial terms of four years, and two shall have initial terms of three years. Thereafter, members shall serve terms of five years. Each commissioner shall hold office until a successor has been appointed. All vacancies shall be filled in the same

manner as the original appointment. For inefficiency or neglect of duty or misconduct in office, a member of the board may be removed by the applicable appointing authority.

5. A majority of the members shall constitute a quorum of such board for the purpose of conducting business and exercising the powers of the board and for all other purposes. Action may be taken by the board upon a vote of a majority of the members present.

6. The members of the board annually shall elect a chair from among the members.

7. The role of the board shall be to conduct the activities necessary to advise the governing authority on the designation of an urban agricultural zone and any other advisory duties as determined by the governing authority. The role of the board after the designation of an urban agricultural zone shall be review and assessment of zone activities.

8. Prior to the adoption of an ordinance proposing the designation of an urban agricultural zone, the urban agricultural board shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed urban agricultural zone. The board shall send, by certified mail, a notice of such hearing to all taxing districts and political subdivisions in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the designation at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing. At the public hearing any interested person or affected taxing district may file with the board written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The board shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing.

9. Following the conclusion of the public hearing required under subsection 8 of this section, the governing authority of the municipality may adopt an ordinance designating an urban agricultural zone.

10. The real property of the UAZ shall not be subject to assessment or payment of ad valorem taxes on real property imposed by the cities affected by this section, or by the state or any political subdivision thereof, for a period of up to twenty-five years as specified by ordinance under subsection 9 of this section, except to such extent and in such amount as may be imposed upon such real property during such period, as was determined by the assessor of the county in which such real property is located, or, if not located within a county, then by the assessor of such city, in an amount not greater than the amount of taxes due and payable thereon during the calendar year preceding the calendar year during which the urban agricultural zone was designated. The amounts of such tax assessments shall not be increased during such period so long as the real property is used in furtherance of the activities provided under the provisions of subdivision (13) of subsection 1 of this section. At the conclusion of the period of abatement provided by the ordinance, the property shall then be reassessed. If only a portion of real property is used as an UAZ, then only that portion of real property shall be exempt from assessment or payment of ad valorem taxes on such property, as provided by this section.

11. If the water services for the UAZ are provided by the municipality, the municipality may authorize a grower UAZ to pay wholesale water rates, if available, for the cost of water consumed on the UAZ and pay fifty percent of the standard cost to hook onto the water source.

12. (1) Any local sales tax revenues received from the sale of agricultural products sold in the UAZ shall be deposited in the urban agricultural zone fund established in subdivision (2) of this subsection. An amount equal to one percent shall be retained by the director of revenue for deposit in the general revenue fund to offset the costs of collection.

(2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund", which shall consist of money collected under subdivision (1) of this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, shall be used for the purposes authorized by this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. School districts may apply to the department for money in the fund to be used for the development of curriculum on or the implementation of urban farming practices under the guidance of the University of Missouri extension service and a certified vocational agricultural instructor. The funds are to be distributed on a competitive basis within the school district or districts in which the UAZ is located under rules to be promulgated by the department, with special consideration given to the relative number of students eligible for free and reduced-price lunches attending the schools within such district or districts.

13. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated under this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Holsman moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

On motion of Representative Reiboldt, **HCS SCS SB 631, as amended**, was adopted.

On motion of Representative Reiboldt, **HCS SCS SB 631, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
Meadows	Molendorp	Nance	Neth	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 036

Anders	Carlson	Colona	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Carter	Casey	Denison	Dieckhaus
Diehl	Dugger	Flanigan	Franz	Funderburk
Hughes	Long	McNary	Nasheed	Nolte
Parkinson	Riddle	Schneider	Shumake	Mr Speaker

Representative Keeney declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	Meadows	Molendorp	Nance	Neth
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Shively	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 039

Anders	Atkins	Carlson	Colona	Ellinger
Ellington	Hodges	Holsman	Hummel	Jones 63
Kelly 24	Kirkton	Lampe	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Carter	Casey	Dugger	Flanigan
Franz	Funderburk	Hughes	McNary	Nasheed
Nolte	Parkinson	Riddle	Schneider	Shumake

HCS SS SCS SB 469, relating to a state administrative rules review, was taken up by Representative Smith (150).

Representative Smith (150) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 469, Pages 1-3, Section 197.080, Lines 1-66, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 3-4, Section 197.100, Lines 1-33, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Smith (150), **House Amendment No. 1** was adopted by the following vote:

AYES: 098

Allen	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 50	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Day	Denison
Dugger	Elmer	Fisher	Fitzwater	Flanigan
Fraker	Franz	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Holsman
Hoskins	Hough	Houghton	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Marshall	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	Molendorp	Nance
Nasheed	Neth	Nichols	Parkinson	Phillips
Quinn	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Wieland	Wright		

NOES: 044

Anders	Atkins	Aull	Casey	Davis
Ellinger	Ellington	Entlicher	Fallert	Franklin
Frederick	Fuhr	Harris	Higdon	Hodges
Hubbard	Kirkton	Klippenstein	Koenig	Kratky
Lichtenegger	Long	May	McCreery	McDonald
McNeil	Montecillo	Morgan	Newman	Oxford
Pace	Pierson	Sater	Schupp	Smith 71
Spreng	Still	Swinger	Walton Gray	Webb
Weter	White	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Brattin	Brown 116	Carlson	Carter
Colona	Conway 27	Dieckhaus	Diehl	Funderburk
Hughes	Hummel	Meadows	Nolte	Pollock
Redmon	Riddle	Scharnhorst	Shumake	Webber
Mr Speaker				

Representative Schad assumed the Chair.

On motion of Representative Smith (150), **HCS SS SCS SB 469, as amended**, was adopted.

On motion of Representative Smith (150), **HCS SS SCS SB 469, as amended**, was read the third time and passed by the following vote:

AYES: 146

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 003

Ellington	Morgan	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Brattin	Carter	Conway 27	Diehl
Funderburk	Hughes	Hummel	Pollock	Riddle
Scharnhorst	Shumake	Thomson	Webber	

Representative Schad declared the bill passed.

HCS SCS SB 711, relating to adoption and juvenile jurisdiction, was taken up by Representative Largent.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 9, Section 453.005, Line 14, by inserting after all of said section and line the following:

“453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;
(2) The child sought to be adopted was born;
(3) The child [is located at the time of] **has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

On motion of Representative Largent, **HCS SCS SB 711, as amended**, was adopted.

On motion of Representative Largent, **HCS SCS SB 711, as amended**, was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brattin	Carter	Day	Dieckhaus	Diehl
Flanigan	Funderburk	Hughes	Molendorp	Nolte
Pollock	Riddle	Scharnhorst	Shumake	Webber

Mr Speaker

Representative Schad declared the bill passed.

HCS SB 739, relating to judicial procedures, was taken up by Representative Cox.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

- (1) The person seeking to adopt resides;
- (2) The child sought to be adopted was born;
- (3) The child [is located at the time of] **has resided for at least ninety days prior to** the filing of the **adoption** petition; or
- (4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“211.444. 1. The juvenile court may, upon petition of the juvenile officer or a child-placing agency licensed under sections 210.481 to 210.536 in conjunction with a placement with such agency under subsection 6 of section 453.010, **the children's division**, or the court before which a petition for adoption has been filed pursuant to the provisions of chapter 453, terminate the rights of a parent **or approve the consent to adoption or waiver of consent to adoption by a parent, as defined in section 211.442, or of a named father** to a child, **including a child who is a ward of the court**, if the court finds that such termination **or consent to adoption or waiver of consent to adoption** is in the best interests of the child and the parent, **as defined in section 211.442**, has consented in writing to the termination of his or her parental rights **or consented or waived consent to the adoption**.

2. The written consent required by subsection 1 of this section may be executed before or after the institution of the proceedings and shall be acknowledged before a notary public. In lieu of such acknowledgment, the signature of the person giving the written consent shall be witnessed by at least two adult persons who are present at the execution

whose signatures and addresses shall be plainly written thereon and who determine and certify that the consent is knowingly and freely given. The two adult witnesses shall not be the prospective parents. The notary public or witnesses shall verify the identity of the party signing the consent.

3. The written consent required by subsection 1 of this section shall be valid and effective only after the child is at least forty-eight hours old and if it complies with the other requirements of section 453.030.

453.065. As used in sections 453.065 to 453.074, the following words and terms shall have the meanings indicated:

(1) "Child", a person within the state who is under the age of eighteen or in the custody of the division of family services who is in need of medical, dental, educational, mental or other related health services and treatment, as defined in this section, or who belongs to a racial or ethnic minority, who is five years of age or older, or who is a member of a sibling group, and for whom an adoptive home is not readily available. If the physical, dental or mental condition of the child requires care after the age of eighteen, payment can be continued with the approval of the division of family services of the department of social services and subject to annual review;

(2) "Diminishing allotment", a monthly payment which periodically diminishes over a period of not longer than four years at which time it ceases;

(3) "Long term subsidy", a continuous monthly payment toward the child's care for a period of more than four years;

(4) **"Post adoption contract agreement", a written agreement approved by the court under subsection 4 of section 453.080;**

(5) "Special services", an allotment to a child who is in need of medical, dental, educational, mental health or other related health services and treatment, including treatment for physical handicap, intellectual impairment, developmental disability, mental or emotional disturbance, social maladjustment;

[(5)] (6) "Time limited subsidy", a monthly allotment which is continued for a limited time after legal adoption, not exceeding four years. This compensation is to aid the family in integrating the care of the new child in their home.

453.080. 1. The court shall conduct a hearing to determine whether the adoption shall be finalized. During such hearing, the court shall ascertain whether:

(1) The person sought to be adopted, if a child, has been in the lawful and actual custody of the petitioner for a period of at least six months prior to entry of the adoption decree; except that the six-month period may be waived if the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to chapter 211 and the person desiring to adopt the child is the child's current foster parent. "Lawful and actual custody" shall include a transfer of custody pursuant to the laws of this state, another state, a territory of the United States, or another country;

(2) The court has received and reviewed a postplacement assessment on the monthly contacts with the adoptive family pursuant to section 453.077, except for good cause shown in the case of a child adopted from a foreign country;

(3) The court has received and reviewed an updated financial affidavit;

(4) The court has received the recommendations of the guardian ad litem and has received and reviewed the recommendations of the person placing the child, the person making the assessment and the person making the postplacement assessment;

(5) [There is compliance with the uniform child custody jurisdiction act, sections 452.440 to 452.550;

(6)] There is compliance with the Indian Child Welfare Act, if applicable;

[(7)] (6) There is compliance with the Interstate Compact on the Placement of Children pursuant to section 210.620; and

[(8)] (7) It is fit and proper that such adoption should be made.

2. If a petition for adoption has been filed pursuant to section 453.010 and a transfer of custody has occurred pursuant to section 453.110, the court may authorize the filing for finalization in another state if the adoptive parents are domiciled in that state.

3. If the court determines the adoption should be finalized, a [decree] **judgment** shall be issued setting forth the facts and ordering that from the date of the [decree] **judgment** the adoptee shall be for all legal intents and purposes the child of the petitioner or petitioners. The court may decree that the name of the person sought to be adopted be changed, according to the prayer of the petition.

4. Before the completion of an adoption, the exchange of information among the parties shall be at the discretion of the parties. **Prospective adoptive parents and parents of a prospective adoptee may enter into a written post adoption contract agreement to allow contact after the adoption between the parents, siblings, or other relatives of the adoptee and the adoptee and the adoptive parents.** Upon completion of an adoption, further

contact among the parties shall be at the discretion of the adoptive parents, **and such adoptive parents may exercise their discretion to enter into a written post adoption contract agreement with the former parents of an adoptee to allow contact between a former parent, sibling, or other relative of the adoptee and the adoptee or adoptive parents. The agreement shall be in writing, signed by the parties thereto, and be made a part of the court record. The agreement shall include:**

(1) An acknowledgment by the former parents that the adoption is irrevocable, even if the adoptive parents do not abide by the post adoption contract agreement;

(2) An acknowledgment by the adoptive parents that the agreement grants the former parents the right to seek to enforce the post adoption privileges set forth in the agreement.

The court shall enforce a written post adoption contract agreement made in accordance with this subsection unless enforcement is not in the best interest of the adoptee. The court shall not have jurisdiction to deny continuing contact between the adopted person and the birth parent, or an adoptive parent and a birth parent. Additionally, the court shall not have jurisdiction to deny an exchange of identifying information between an adoptive parent and a birth parent.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) assumed the Chair.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Redmon
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo

Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 116	Carter	Cross	Flanigan	Franklin
Funderburk	Holsman	Hughes	McNary	Pollock
Reiboldt	Riddle	Shumake	Swearingen	Webb
Webber	Wyatt	Mr Speaker		

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Diehl offered **House Amendment No 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Line 3 of the Title, by deleting said line and inserting in lieu thereof the following:

“relating to the judiciary”; and

Further amend said bill, Page 3, Section 454.475, Line 69, by inserting after said line the following:

“483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county [and of the city of St. Louis], who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided, however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law by the state to an elected circuit clerk in such county if such charter provision was not in effect. The sum shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. This subsection shall become effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue to hold such office for the remainder of their elected terms as if they had been appointed pursuant to the terms of this subsection.

5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerk in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 3** was adopted.

Representative Davis offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said line the following:

"452.413. 1. As used in this section, the following terms shall mean:

(1) "Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) "Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", the legal parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction, and who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to military deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such custody or visitation order shall further require the nondeploying parent to provide the court and the deploying parent with a thirty day advance written notice of any change of address and any change of telephone number. However, if a valid domestic violence court order from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification.

(5) Upon motion of a deploying parent, upon reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion and this shall take precedence on the court's docket.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner, or to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent shall:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Provide timely information regarding the deploying parent's leave schedule to the nondeploying parent.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a temporary hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support. Each party shall provide information to each other in an effort to facilitate agreement on custody and visitation.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days' of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint at the request of the deployed parent or on its own motion a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished by certified mail, return receipt requested, to the nondeploying parent's last known address based on an affidavit of the deploying parent.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 4** was adopted.

Representative Fisher offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"285.304. The content of the withholding form shall be determined by the director of the department of revenue, in consultation with the department of social services, but, at a minimum, the form shall include the name, address and Social Security number of the employee, **the date services for remuneration were first performed by the employee**, and the name and address of, and identifying number assigned to the employer under section 6109 of the Internal Revenue Code of 1986, as amended. If the employer chooses to submit a form other than the federal W-4 withholding form, the form shall also include the date the employee signed the W-4 form or the date the employer hired the employee as defined in section 285.300."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fisher, **House Amendment No. 5** was adopted.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison

Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 116	Carter	Cross	Diehl	Flanigan
Franklin	Funderburk	Holsman	Hough	Hughes
Long	Riddle	Shumake	Smith 71	Wallingford
Webb	Webber	Wyatt	Mr Speaker	

On motion of Representative Cox, **HCS SB 739, as amended**, was adopted.

On motion of Representative Cox, **HCS SB 739, as amended**, was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins

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Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Nolte	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 011

Colona	Ellinger	Ellington	Kirkton	May
McCreery	Newman	Oxford	Pierson	Schupp
Sifton				

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 116	Carter	Conway 14	Cross	Diehl
Flanigan	Funderburk	Holsman	Hough	Hughes
Riddle	Shumake	Silvey	Webber	Mr Speaker

Representative Jones (89) declared the bill passed.

SS SCS SB 576, relating to charter schools, was taken up by Representative Richardson.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp

Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 116	Carter	Elmer	Funderburk	Grisamore
Hughes	Lasater	Meadows	Riddle	Schad
Shumake	Webber			

On motion of Representative Richardson, **SS SCS SB 576** was truly agreed to and finally passed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Colona	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Dugger	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Koenig
Lair	Lant	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McCaherty	McCann Beatty
McGhee	McManus	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
Wieland	Wyatt	Zerr	Mr Speaker	

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NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Denison	Ellinger
Ellington	Entlicher	Fallert	Franklin	Hampton
Harris	Hodges	Hummel	Johnson	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lampe
Largent	Loehner	May	McCreery	McDonald
McGeoghegan	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swinger	Walton Gray	White	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 116	Carter	Funderburk	Grisamore	Hughes
Lasater	Riddle	Schad	Shumake	Webber

Representative Jones (89) declared the bill passed.

Representative Silvey assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1171**, entitled:

An act to repeal section 211.031, RSMo, and to enact in lieu thereof one new section relating to juvenile court jurisdiction.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1171, Page 1, Section Title, Line 3, by striking all of said line and inserting in lieu thereof the following:

"courts."; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after said line the following:

"67.320. 1. Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants **or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants** may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. **Except as provided in subsection 5 of this section** in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. **In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.**"; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1540**, entitled:

An act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 1540, Page 3, Section 287.120, Line 67, by inserting immediately after said line the following:

"287.450. If the employer and employee or his dependents do not agree in regard to compensation payable under this chapter, either party may make application **in a manner determined by the division** for a hearing in regard to the matters at issue and for a ruling thereon, except that no application for a hearing shall be considered until fourteen days after the receipt by the division of the report of accident required under section 287.380. The fourteen-day waiting period is not applicable to applications for hardship hearings. After the application has been received, the division shall set a date for a hearing, which shall be held as soon as practicable, and shall notify the interested parties of the time and place of the hearing.

287.460. 1. The division, through an administrative law judge, shall hear in a summary proceeding the parties at issue and their representatives and witnesses and shall determine the dispute by issuing the written award within ninety days of the last day of the hearing. The hearing shall be concluded within thirty days of the date of commencement of the hearing, except in extraordinary circumstances where a lengthy trial or complex issues necessitate a longer time than ninety days. All evidence introduced at any such hearings shall be reported by a competent reporter appointed by the division or be recorded by electronic means. The award, together with a statement of the findings of fact, rulings of law and any other matters pertinent to the question at issue, shall be filed with the record of proceedings, and a copy of the award shall immediately be sent by **electronic means or in the case of an unrepresented employee, by** United States mail, to the parties in dispute and the employer's insurer.

2. The division of workers' compensation shall develop by rule procedures whereby mediation services are provided to the parties in a claim for workers' compensation benefits whereby claims may be mediated by the parties at a prehearing conference when the division determines that a claim may be settled or upon application for a mediation settlement conference filed by either party.

3. The division may require the parties to produce at the mediation conference all available medical records and reports. Such mediation conference shall be informal to ascertain the issues and attempt to resolve the claim or other pending issues. Such mediation conference may be set at any time prior to the commencement of the evidentiary hearing

and nothing in this section shall be interpreted to delay the setting of the matter for hearing. Upon the request of any party, a person providing mediation settlement services shall be disqualified from conducting any evidentiary hearing relating to the claim without limiting the rights conferred by section 287.810.

287.520. 1. Any notice required under this chapter shall be deemed to have been properly given and served when sent by registered or certified mail properly stamped and addressed to the person or entity to whom given, at the last known address in time to reach the person or entity in due time to act thereon, or to counsel for that person or entity in like manner. Notice may also be given and served in like manner as summons in civil actions.

2. Notwithstanding the provisions of subsection 1 of this section, the division may serve or send any notices required under this chapter by electronic means, except that any notices required to be sent to an employee not represented by counsel shall be sent by registered or certified mail to the last known address of the employee unless the employee consents to receive notices by electronic means. In the event the employee is represented by counsel and counsel is sent proper notice under this chapter, notice to the employee may be sent by regular mail.

287.650. 1. The division of workers' compensation shall have such powers as may be necessary to carry out all the provisions of this chapter **including the use of electronic processes**, and it may make such rules and regulations as may be necessary for any such purpose, subject to the approval of the labor and industrial relations commission of Missouri. The division shall have power to strike pleadings and enter awards against any party or parties who fail or refuse to comply with its lawful orders.

2. (1) The division shall have the power upon the expiration of five years after their receipt to destroy reports of injuries on which no compensation (exclusive of medical costs) was due or paid, together with the papers attendant to the filing of such reports, and also to destroy records in compensable cases after the expiration of ten years from the date of the termination of compensation.

(2) Records in cases that are submitted for hearing in the division shall include all documentary exhibits admitted as evidence at the hearing. Records in all other cases shall include all documents required to be filed with the division by this chapter or by rule of the division, medical reports or records which are relied upon by the administrative law judge or legal advisor in approving the compromise lump sum settlement, and copies of the compromise lump sum settlement. These records shall be kept and stored by the division for a minimum of ten years and shall include the originals or duplicate originals stored by electronic or other means approved by the division.

3. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

287.655. Any claim before the division may be dismissed for failure to prosecute in accordance with rules and regulations promulgated by the commission. **Such notice shall be made in a manner determined by the division,** except **that for the employee** such notice [need not] **shall** be by certified or registered mail [if] **unless** the [person or entity] **employee** to whom notice is directed is represented by counsel and counsel is also given such notice [at counsel's last known address]. To dismiss a claim the administrative law judge shall enter an order of dismissal which shall be deemed an award and subject to review and appeal in the same manner as provided for other awards in this chapter."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has third read and passed **HCS HB 1549**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1827**, entitled:

An act to amend chapter 338, RSMo, by adding thereto one new section relating to the Missouri electronic prior authorization committee.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 485, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5 to SB 599**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 631, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 to SS SB 665**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 711, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 739, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

HOUSE BILL WITH SENATE AMENDMENTS

HB 1540, with Senate Amendment No. 1, relating to workers' compensation, was taken up by Representative Jones (89).

On motion of Representative Jones (89) the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent

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Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 030

Carlson	Ellinger	Ellington	Harris	Hummel
Jones 63	Kratky	Marshall	May	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Still	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Dieckhaus	Franklin	Funderburk	Hughes
Jones 117	Lasater	Riddle	Schieffer	Webber

On motion of Representative Jones (89), **HB 1540, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 122

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McGhee
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Talboy

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 029

Anders	Carlson	Ellinger	Ellington	Hummel
Jones 63	Kratky	Marshall	May	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieber	Schupp
Sifton	Smith 71	Spreng	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Denison	Dieckhaus	Funderburk	Hughes
Lasater	McNary	Riddle	Schieffer	Still
Webber	Mr Speaker			

Representative Silvey declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SB 636, as amended, relating to judicial procedure, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SB 636, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 636: Representatives Diehl, Cox, Elmer, Hummel and Colona

THIRD READING OF SENATE BILL

HCS SCS SB 726, relating to financial transactions, was taken up by Representative Wells.

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 7, Section 67.085, Line 22, by inserting after all of said section and line the following:

“67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; [and]

(2) Grant county [sales tax] revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233;

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. [If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue] **In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy.”; and**

Further amend said bill, Page 8, Section 161.424, Line 13, by inserting after all of said section and line the following:

“238.415. 1. A road and bridge revitalization district may be established in the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county that is located in a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, after voter approval pursuant to this section. A road and bridge revitalization district shall exist to revitalize, repair, replace, and construct new roads, bridges, and related public infrastructure, including storm water control systems. The boundaries of the district may be of any dimensions within the portion of the city within such county that may be deemed necessary or advisable. The governing body of the municipality may establish such district by ordinance and authorize the imposition of a tax to support the district. The ordinance shall require the ad valorem tax to be submitted to the voters for reauthorization and shall specify the period of time before such reauthorization shall be required, which time period shall not be more than ten years. No such ordinance shall become effective unless the governing body of the municipality submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the creation of the district and the imposition of the tax. The municipality shall include in the ballot a provision for a tax to support the district in an amount not to exceed ten cents per one hundred dollars assessed valuation of all taxable property within the district pursuant to available statutory authority.

2. The ballot for the proposition in the district shall be in substantially the following form:

Shall there be established a Road and Bridge Revitalization District with a tax rate of not more than(insert amount) cents per hundred dollars assessed valuation of all taxable property within the district for years, unless reauthorized by the voters?

☐ YES ☐ NO

3. In the event that a majority of the voters voting on such proposition in the proposed district at such election cast votes for the proposition, then the district shall be established and the tax rate shall be in full force and effect as of the first day of the year following the year of the election. The results of the election shall be certified by the election officials of the city not less than thirty days after the day of election. In the event the proposition fails to receive a majority of the votes in the proposed district, then such proposition shall not be resubmitted at any election held within one year of the date of the election the proposition was rejected."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Talboy offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 2, Lines 5-38, by deleting all of said lines and inserting in lieu thereof the following:

“paid as if the funds were paid under the county’s special road and bridge levy.

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; and

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner: Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:

If owner is not an individual, state what type of entity:

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

.

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

.

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF)

Before me personally appeared, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this day of (month), (year).

Notary Public My Commission Expires:

(5) Alternatively, the governing body of any municipality or county may file a petition to initiate the process to establish a district containing the information required in 67.1421.2(3); provided that the only funding methods for the services and improvements will be a sales tax or real property tax .

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to Section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding Sections 67.1531, 67.1545 and 67.1551, if the petition was filed pursuant to subsection 2(5) of section 67.1421, by a governing body of any municipality, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the “.....Community Improvement District” approved by the(insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a community improvement district-wide sales and use tax at the maximum rate of(insert amount) for a period of(insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for(insert general description of purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO"; or

Shall the community improvement district, to be known as the “.....Community Improvement District” approved by the (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than(insert amount) dollars per hundred dollars assessed valuation for a period of(insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for(insert general description of purpose) in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

2. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

3. The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087.

4. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

5. In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

6. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

8. A district may by resolution repeal or lower the rate of any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal or lower rate of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

9. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

10. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing such district in question** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Nolte, **House Amendment No. 1, as amended**, was adopted.

Representative Molendorp offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 10, Section 335.233, Line 7, by inserting after all of said section and line the following:

“376.1192. 1. As used in this section, "health benefit plan" and "health carrier" shall have the same meaning as such terms are defined in section 376.1350.

2. Beginning September 1, 2012, the oversight division of the joint committee on legislative research shall perform an actuarial analysis of the cost impact to health carriers, insureds with a health benefit plan, and other private and public payers if state mandates were enacted to provide health benefit plan coverage for the following:

(1) Orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan;

(2) Diagnosis and treatment of eating disorders that include anorexia nervosa, bulimia, binge eating, eating disorders nonspecified, and any other severe eating disorders contained in the most recent version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. The actuarial analysis shall assume the following are included in health benefit plan coverage:

(a) Residential treatment for eating disorders, if such treatment is medically necessary in accordance with the Practice Guidelines for the Treatment of Patients with Eating Disorders, as most recently published by the American Psychiatric Association; and

(b) Access to psychiatric and medical treatment that provides coverage for integrated care and treatments as prescribed by medical and psychiatric health care professionals, including but not limited to nutrition counseling, physical therapy, dietician services, medical monitoring, and psychiatric monitoring;

(3) Diagnosis and treatment of infertility, including but not limited to in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer, and low tubal ovum transfer. For purposes of this subdivision, "infertility" means the inability to conceive after one year of unprotected sexual intercourse or the inability to sustain a successful pregnancy. The actuarial analysis shall assume that included in health benefit plan coverage is coverage for procedures for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer which shall be required only if:

(a) The covered individual has been unable to attain or sustain a successful pregnancy through reasonable less costly medically appropriate infertility treatments for which coverage is available under the policy, plan, or contract;

(b) The covered individual has not undergone four completed oocyte retrievals; except that if a live birth follows a completed oocyte retrieval, two or more completed oocyte retrievals shall be covered; and

(c) The procedures are performed at medical facilities that conform to the American College of Obstetric and Gynecological guidelines for in vitro fertilization clinics or to the American Fertility Society minimal standards for programs of in vitro fertilization.

3. By December 31, 2012, the director of the oversight division of the joint committee on legislative research shall submit a report of the actuarial findings prescribed by this section to the speaker, the president pro tem, and the chairpersons of the House of Representatives Special Committee on Health Insurance and the Senate Small Business, Insurance and Industry Committee.

4. For the purposes of this section, the actuarial analysis of health benefit plan coverage shall assume that such coverage:

(1) Shall not be subject to any greater deductible or copayment than other health care services provided by the health benefit plan; and

(2) Shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy.

5. The cost for each actuarial analysis shall not exceed thirty thousand dollars and the oversight division of the joint committee on legislative research may utilize any actuary contracted to perform services for the Missouri consolidated health care plan to perform the analysis required under this section.

6. The provisions of this section shall expire on December 31, 2012.

376.1226. 1. No contract between a health carrier or health benefit plan and a dentist for the provision of dental services under a dental plan shall require that the dentist provide dental services to insureds in the dental plan at a fee established by the health carrier or health benefit plan if such dental services are not covered services under the dental plan.

2. For purposes of this section, the following terms shall mean:

(1) "Covered services", dental services reimbursable by a health carrier or health benefit plan or third party administrator under an applicable dental plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, copayments, coinsurance, waiting periods, annual or lifetime maximums, alternative benefit payments, or frequency limitations;

(2) "Dental plan", any policy or contract of insurance which provides for coverage of dental services;

(3) "Health benefit plan", the same meaning as such term is defined in section 376.1350;

(4) "Health carrier", the same meaning as such term is defined in section 376.1350.

376.1227. 1. No contract between a health carrier or health benefit plan and an optometrist for the provision of optometric services under a vision plan shall require that the optometrist provide optometric services to insureds in the vision plan at a fee established by the health carrier or health benefit plan if such optometric services are not covered services under the vision plan.

2. For purposes of this section, the following terms shall mean:

(1) "Covered services", services reimbursable by a health carrier or health benefit plan under an applicable vision plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;

(2) "Health benefit plan", the same meaning as such term is defined in section 376.1350;

(3) "Health carrier", the same meaning as such term is defined in section 376.1350;

(4) "Vision plan", any policy or contract of insurance which provides for coverage of vision care services."; and

Further amend said bill, Section 643.079, Page 31, Line 102, by inserting after all of said section and line the following:

"Section 1. The board of trustees of the Missouri consolidated health care plan shall conduct an actuarial analysis and report to the general assembly, on or before December 31, 2012, of the feasibility of including the

health plan sponsored by the department of transportation into the Missouri consolidated health care plan. The health plan sponsored by the department of transportation shall provide the Missouri consolidated health care plan actuary the data and funding necessary to perform the actuarial analysis.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 2** was adopted.

Representative Leara offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 7, Section 34.057, Line 152, by inserting after all of said line the following:

“50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary**, a death benefit of ten thousand dollars **and, in the case of an active member who dies after December 31, 2002, and before becoming vested, an amount equal to the amount of the member's accumulated contributions standing to his or her credit in the fund** shall be paid to the designated beneficiary of every active member upon his or her death or, if the member fails to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then in equal shares to the member's surviving children. If there is neither a surviving spouse or surviving children, then the benefit shall be paid to the active member's estate.

2. If the member executes a beneficiary designation form and lists more than one beneficiary but fails to list the percentage of benefit that each beneficiary should receive, then the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years of creditable service shall forfeit all rights in the fund, including the member's accrued creditable service as of the date of the member's termination of employment, but may receive any refund of contributions to which the member is entitled pursuant to subsection 3 of this section **or subsection 1 of section 50.1130**.

2. A member who terminates employment with at least eight years of creditable service shall be entitled to an annuity from the fund, determined in accordance with the formula described in section 50.1060. The member may elect to defer the receipt of his or her annuity, until the member's attainment of age sixty-two, or the member may elect to begin receiving his or her annuity on the first day of any month following the later of the date of termination of employment or age fifty-five. If the member begins receiving an annuity before age sixty-two and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by four-tenths of one percent for each month the commencement date of the annuity precedes age sixty-two, and an additional three-tenths of one percent for each month the commencement date of the annuity precedes age sixty.

3. In the event a member ceases to be a member other than by death before the date the member becomes vested in the system, the member shall be paid, upon his or her written application filed with the board, the member's accumulated contributions standing to his or her credit in the members' deposit fund.

4. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee, completing a total of eight years of uninterrupted creditable service, and purchasing the forfeited service by paying into the fund the forfeited amount previously refunded to the participant or credited to the participant's county plus interest equal to the current prime rate plus two percent.”; and

Further amend said page, Section 67.085, Line 22, by inserting after all of said line the following:

“104.603. 1. Effective with transfers of service between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system that occur on or after September 1, 2011, upon a reciprocal transfer of creditable or credited service pursuant to section 104.602 or subsection 8 of section 104.1021, the sending system from which the service is transferred shall pay the receiving system to which the service is transferred the present value of the accrued benefit as determined pursuant to subsection 2 of this section.

2. For purposes of this section, the present value of the accrued benefit shall be determined using the actuarial assumptions of the sending system used in that system's last regular valuation assuming active member status and using

the unit credit actuarial cost method. However, in no event shall the payment amount be less than the sum of the member's accumulated contributions and interest plus any purchased service payments from the member held on deposit by the sending system. If the member had received a refund of accumulated contributions from the sending system and forfeited service credit with that system, the member would need to reestablish that service with the sending system by again becoming an active member of a system covered by this chapter and satisfying requirements otherwise stipulated for reestablishing service credit. **However, in the event the member had previously transferred service from the receiving system to the sending system which was not subject to an asset transfer under this section, then that service will be excluded from the computation of the accrued benefit. In the event any prior payments by a sending system under this section included an amount for previously transferred service that was not subject to this section, the receiving system shall return to the sending system the present value amount attributable to such service, including interest as determined and agreed to by both systems.**

3. The service transfer shall not be deemed completed until the sending system makes payment to the receiving system as prescribed in this section. Payments shall be made within ninety days of the date that a completed transfer request is submitted by a member.

4. When the transfer payment includes an amount identified as corresponding to a member's accumulated contributions, the accumulated contributions portion shall be identified, and further, the accumulated contributions balance as of the preceding July first shall be identified and the receiving system shall be responsible for crediting interest according to the terms of the receiving plan.

5. The systems shall coordinate their plan administration for reciprocal transfers to give full effect to the transfer including the transfer and acceptance of corresponding division of benefit orders.

6. The member or survivor obtaining a reciprocal transfer of service covered by this section shall satisfy all requirements under section 104.602 or subsection 8 of section 104.1021 to obtain a transfer of credited or creditable service and shall satisfy the requirements under section 104.1091 with the receiving system to reestablish forfeited service previously accrued at either system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 3** was adopted.

Representative Smith (150) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 31, Section 643.079, Line 102, by inserting after all of said line the following:

“Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations’ activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.

2. The department of elementary and secondary education shall continue to handle the dues from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rowland offered **House Substitute Amendment No. 1 for House Amendment No 4**.

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 31, Section 643.079, Line 102, by inserting after all of said line the following:

“Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations’ activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4.

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute Amendment No. 1 for House Amendment No. 4 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 1, Line 15, by inserting after all of said line the following:

“Further amend said bill, Page 8, Section 161.424, Line 13, by inserting after all of said section and line the following:

“178.530. 1. The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be

certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

On motion of Representative Rowland, **House Substitute Amendment No. 1 for House Amendment No. 4, as amended**, was adopted.

Representative Franz offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 7, Section 67.085, Line 22, by inserting after all of said section and line, the following:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special

assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, [in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants,] the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. [In said counties, each] **Any** special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 5** was adopted.

Representative Cox offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Pages 22-23, Section 443.812, Lines 1-47, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Denison	Dieckhaus
Dugger	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Long
Marshall	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Redmon	Reiboldt	Richardson

Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Carter	Cross	Day	Diehl
Elmer	Flanigan	Funderburk	Guernsey	Holsman
Hughes	Leara	Lochner	May	McCaherty
McDonald	McGhee	Meadows	Parkinson	Pollock
Riddle	Schieffer	Schneider	Webb	Webber
Wyatt				

On motion of Representative Cox, **House Amendment No. 6** was adopted by the following vote:

AYES: 098

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown 50	Brown 85
Brown 116	Carlson	Casey	Cierpiot	Colona
Conway 14	Conway 27	Cox	Curtman	Davis
Dieckhaus	Ellington	Fallert	Fisher	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Grisamore
Haefner	Harris	Higdon	Hodges	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lauer
Leach	Long	Marshall	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Morgan	Nasheed	Neth	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Weter
White	Wieland	Wright		

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NOES: 038

Asbury	Black	Brandom	Burlison	Cauthorn
Cookson	Crawford	Denison	Dugger	Ellinger
Entlicher	Fitzwater	Franklin	Gosen	Hampton
Hinson	Hoskins	Hough	Jones 63	Kander
Keeney	Kirkton	Largent	Lasater	Lichtenegger
McCreery	Molendorp	Nance	Newman	Nichols
Nolte	Rowland	Spreng	Thomson	Torpey
Wallingford	Wells	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 027

Allen	Carter	Cross	Day	Diehl
Elmer	Flanigan	Funderburk	Guernsey	Holsman
Hughes	Leara	Loehner	May	McCaherty
McDonald	Meadows	Pollock	Riddle	Schad
Schieffer	Schneider	Sommer	Webb	Webber
Wyatt	Mr Speaker			

Representative Dieckhaus offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 10, Section 287.745, Line 14, by inserting after all of said section the following:

“313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) **“Credit instrument”, a writing which evidences a gaming debt that is owed to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission, and includes any writing taken in consolidation, redemption or payment of a previous credit instrument;**

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling

excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(8)] (9) "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

[(9)] (10) "Fiscal year" shall for the purposes of subsections 3 and 4 of section 313.820 mean the fiscal year of a home dock city or county;

[(10)] (11) "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(11)] (12) "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(12)] (13) "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(13)] (14) "Games of chance", any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(14)] (15) "Games of skill", any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

[(15)] (16) "Gross receipts", the total sums wagered by patrons of licensed gambling games;

[(16)] (17) "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(17)] (18) "Licensee", any person licensed under sections 313.800 to 313.850;

[(18)] (19) "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(19)] (20) "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill [referred to in subdivision (14) of] **defined in** subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

(1) Is it in the best interest of gaming to allow the game; and

(2) Is the gambling game a game of chance or a game of skill? All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

(1) The recommended number of licensed excursion gambling boats operating in such city or county;

- (2) The recommended licensee or licensees operating in such city or county;
- (3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;
- (4) The city or county proposed sharing of revenue with any other municipality;
- (5) Any other information such city or county deems necessary; and
- (6) Any other information the commission may determine is necessary. The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. Each applicant shall establish by clear and convincing evidence its fitness to be licensed. Without limitation, the commission may deny a license based solely on the fact that there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established [his] **the applicant's** good reputation and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. **Except as provided in section 313.817**, a licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed, **other than a credit instrument**, must be deposited within twenty-four hours. The commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified

voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

☐ YES

☐ NO .

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306 and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state of gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games' operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money **or credit instrument** of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check, **obtain a credit instrument** or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. Credit instruments executed on or after August 28, 2012, are valid contracts creating debt that are enforceable by legal process. A licensee may accept credit instruments from a qualified person in exchange for physical tokens or chips that can be wagered on gambling games at the licensee's excursion gambling boat, or money that can be exchanged for electronic or physical tokens, chips or other forms of credit to be wagered on gambling games at the licensee's excursion gambling boat. "Qualified person" means a person who has completed a credit application provided by the licensee and who is determined by the licensee, after performing a credit check and applying usual standards to establish creditworthiness, to qualify for a line of credit of at least five thousand dollars. Approval to accept a credit instrument from a qualified person shall be made by the holder of an occupational license, except that such approval shall not be made less than twenty-four hours after the determination that a person is a qualified person. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. A lost or destroyed credit instrument shall remain valid and enforceable if the party seeking enforcement can prove its existence and terms. Any person who violates this subsection is subject only to the penalties provided in section 313.812. The commission shall have no authority to determine the validity or enforceability of a credit instrument or the enforceability of the debt that the credit instrument represents. Failure to comply with any regulation promulgated by the commission shall not impact the validity or enforceability of the credit instrument or the debt that the credit instrument represents."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dieckhaus, **House Amendment No. 7** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Long	Marshall	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Zerr

NOES: 047

Anders	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 026

Atkins	Barnes	Carter	Cross	Diehl
Funderburk	Guernsey	Holsman	Hughes	Leara
Loehner	May	McCaherty	McDonald	McGhee
Meadows	Pollock	Riddle	Schad	Schieffer
Schneider	Webb	Webber	Wright	Wyatt

Mr Speaker

On motion of Representative Wells, **HCS SCS SB 726, as amended**, was adopted.

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On motion of Representative Wells, **HCS SCS SB 726, as amended**, was read the third time and passed by the following vote:

AYES: 090

Allen	Atkins	Bahr	Bernskoetter	Brandom
Brattin	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Largent	Lasater
Lauer	Leach	Lichtenegger	Long	McGhee
McNary	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Redmon
Richardson	Rowland	Ruzicka	Scharnhorst	Schatz
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Zerr

NOES: 050

Anders	Aull	Barnes	Berry	Black
Brown 50	Brown 85	Carlson	Casey	Colona
Ellinger	Ellington	Fallert	Frederick	Fuhr
Harris	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	Lampe	Lant	Marshall	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Quinn	Reiboldt	Rizzo	Schieber	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	White

PRESENT: 000

ABSENT WITH LEAVE: 023

Asbury	Carter	Cross	Diehl	Funderburk
Hughes	Leara	Loehner	May	McCaherty
McDonald	Meadows	Molendorp	Riddle	Sater
Schad	Schieffer	Schneider	Thomson	Webb
Webber	Wyatt	Mr Speaker		

Representative Silvey declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 107

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Long	McGhee
McNary	Molendorp	Morgan	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Scharnhorst	Schatz	Schieber	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 038

Anders	Asbury	Atkins	Carlson	Colona
Conway 27	Ellinger	Ellington	Harris	Holsman
Hummel	Jones 63	Kelly 24	Kirkton	Lampe
Marshall	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 018

Carter	Cross	Funderburk	Hughes	Leara
Loehner	May	McCaherty	Meadows	Riddle
Sater	Schad	Schieffer	Schneider	Webb
Webber	Wyatt	Mr Speaker		

COMMITTEE REPORTS

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **SCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 464**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 729**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 755**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 758**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 755 - Fiscal Review

HCS SCS SB 758 - Fiscal Review

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1135

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1135, with Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. The Senate recede from its position on Senate Committee Substitute for House Bill No. 1135, as amended;
2. That the House recede from its position on House Bill No. 1135;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1135 be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jason Smith
/s/ Cole McNary
/s/ Lyndall Fraker
/s/ Sara Lampe
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Bob Dixon
/s/ Jane Cunningham
/s/ Luann Ridgeway
/s/ Timothy Green
/s/ Joseph Keaveny

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Wednesday, May 16, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW

Wednesday, May 16, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW

Thursday, May 17, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW

Friday, May 18, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

HEALTH CARE POLICY

Wednesday, May 16, 2012, Upon Morning Recess House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Wednesday, May 16, 2012, 8:40 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Election of Chairman and Vice-Chairman

RULES - PURSUANT TO RULE 25(32)(F)

Wednesday, May 16, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)

Thursday, May 17, 2012, 8:45 AM North Gallery.

Executive session may be held on any or all bills referred to this committee.

CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)

Friday, May 18, 2012, 8:45 AM North Gallery.

Executive session may be held on any or all bills referred to this committee.

CORRECTED

HOUSE CALENDAR

SEVENTY-FOURTH DAY, WEDNESDAY, MAY 16, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 89 - Schoeller
- 2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant
- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough
- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin
- 20 HCS HB 1846 - Long
- 21 HCS HB 1585 - Cross
- 22 HCS HB 1971 - Schneider
- 23 HB 1690 - May
- 24 HB 1728 - Johnson
- 25 HB 1790 - Torpey
- 26 HCS HB 1970 - Jones (117)

- 27 HB 1144 - Gatschenberger
- 28 HB 1394 - Brandom
- 29 HB 1456 - Black
- 30 HCS HB 1609 - Nasheed
- 31 HCS HB 1612 - Burlison
- 32 HB 2038 - Wallingford
- 33 HCS HB 1877 - Sommer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1328 - Cox
- 2 HCS HB 1922 - Molendorp
- 3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee

HOUSE BILLS FOR THIRD READING - INFORMAL

- 1 HB 1277 - Long
- 2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 55 - Nolte
- 2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

- 1 HCS SB 620 - Gosen
- 2 HCS#2 SCS SB 480 - Burlison
- 3 HCS SCS SB 673 - Day
- 4 SCS SB 789 - Cox
- 5 HCS SB 813 - Dieckhaus
- 6 HCS SCS SB 856 - Barnes
- 7 SS SCS SBs 489 & 637, E.C. - Franz
- 8 SS SCS SB 633 - Largent
- 9 SCS SB 788 - Diehl
- 10 HCS SCS SB 655 - Kelly (24)
- 11 HCS SB 667 - Korman
- 12 HCS SCS SB 671, E.C. - Dugger

- 13 HCS SCS SB 510 - Schneider
- 14 HCS SB 557 - Franz
- 15 HCS SB 594 - Pollock
- 16 HCS SCS SB 625 - Jones (117)
- 17 HCS SCS SB 648 - Sommer
- 18 HCS SB 668 - Diehl
- 19 HCS SCS SB 692, E.C. - Asbury
- 20 HCS SB 701 - Wright
- 21 HCS SCS SB 722 - Jones (89)
- 22 HCS SS SB 749 - Crawford
- 23 HCS SB 760, E.C. - Ruzicka
- 24 HCS SS SB 769 - Cierpiot
- 25 HCS SS SB 854 - Long
- 26 SB 893 - Richardson
- 27 HCS#2 SCS SB 729, E.C. - Kelly (24)
- 28 HCS SS SCS SB 755, (Fiscal Review 5/15/12) - Cookson
- 29 HCS SCS SB 758, (Fiscal Review 5/15/12) - Black
- 30 HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 - Sater
- 31 SCS SB 835, E.C. - Bernskoetter

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1495 - Nance
- 2 SCS HB 1112 - Gosen
- 3 SCS HCS HB 1042, as amended - Thomson
- 4 SS SCS HCS HB 1400, E.C. - Richardson
- 5 HB 1250, with SA 1 & SA 2 - Ruzicka
- 6 SS HB 1128 - Largent
- 7 HB 1103, with SA 1 & SA 2 - Crawford
- 8 SCS HB 1460 - Jones (117)
- 9 SCS HB 1036 - Dugger
- 10 SCS HCS HB 1072 - Sater
- 11 SS SCS HCS HB 1563, as amended, E.C. - Sater
- 12 SS SCS HCS HB 1094, as amended - Wieland
- 13 SS SCS HCS HB 1150, as amended - Smith (150)
- 14 SS SCS HCS HB 1498 - Hough
- 15 SCS HCS HB 1758 - Long
- 16 SCS HCS#2 HB 1323 - Black
- 17 SS SCS HCS HB 1280 - Korman
- 18 SCS HCS HB 1827 - Richardson
- 19 HCS HB 1171, with SA 1 - Franz

BILLS CARRYING REQUEST MESSAGES

- 1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
- 2 SCS SB 715, with HA 1 and HA 2, (request House recede/take up and pass bill) - Day
- 3 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641,
HB 1668, HB 1737, HB 1782, HB 1868, and HB 1878, as amended (request Senate
recede/grant conference) - Marshall
- 4 HCS SCS SB 485, as amended, (request House recede/grant conference) - Kelly (24)
- 5 SS SB 665, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, (request House
recede/grant conference) - Asbury
- 6 HCS SCS SB 711, as amended, (request House recede/grant conference) - Largent
- 7 HCS SB 739, as amended, (request House recede/grant conference) - Cox
- 8 HCS SCS SB 631, as amended, (request House recede/grant conference), E.C. - Reiboldt
- 9 SB 599, with HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5,
(request House recede/grant conference), E.C. - Dieckhaus

BILLS IN CONFERENCE

- 1 CCR HCS SB 568, as amended, E.C. - Franz
- 2 CCR SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
- 3 CCR SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
- 4 CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. -
Brown (116)
- 5 CCR HCS SCS SB 569, as amended - Dugger
- 6 SS SCS HB 1073 AND HCS HB 1477, as amended - Sater
- 7 CCR SCS HB 1135, as amended - Smith (150)
- 8 HCS SCS SB 498, as amended, E.C. - Shumake
- 9 HCS SS SCS SB 467, as amended - Cox
- 10 SCS SB 566, with HA 1 & HA 2 - Jones (117)
- 11 HCS SB 455, as amended - Thomson
- 12 HCS SB 578, as amended, E.C. - Cox
- 13 HCS SB 628, as amended - Kelly (24)
- 14 HCS SCS SB 635, as amended, E.C. - Phillips
- 15 SS SCS HCS HB 1402, as amended - Burlison
- 16 HCS SS SCS SB 470, as amended - Burlison
- 17 HCS SB 636, as amended - Diehl

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl
- 3 SCR 24 - Davis

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HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-FOURTH DAY, WEDNESDAY, MAY 16, 2012

The House met pursuant to adjournment.

Representative Keeney in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

It is more blessed to give than to receive. (Acts 20:35)

O God, Who created us in Your own image and gave us a living soul that we might live in fellowship with You, grant unto us Your blessings as we wait upon You in prayer on this last week of session. Make us good in thought, gentle in work, and generous in deed.

Call to our minds again that it is better to give than to receive, better to minister unto others than to be ministered unto ourselves, better to be governed by Your spirit than to be goaded by our own selfish desires.

Bless our Speaker and these representatives of our people. May the benediction of Your spirit abide in their hearts and lead them in the paths of righteousness, truth, and good will that the lamp of freedom may burn more brightly in our day and the banner of honor may fly forever above our state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sam Ward and Lydia Foss.

The Journal of the seventy-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3223 through House Resolution No. 3261

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 755**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 758**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1231**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1576**, entitled:

An act to amend chapters 103 and 210, RSMo, by adding thereto two new sections relating to the purchase of state health insurance by certain foster parents.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1576, Page 1, Section 103.078, Line 10, by inserting immediately before the word "Foster" the following:

"In order to qualify for the purchase of state health insurance under this section,".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 636, as amended**: Senators Keaveny, Justus, Goodman, Dixon and Lamping.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 726, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

SS SB 665, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6, relating to conveyance of state property, was taken up by Representative Asbury.

Representative Asbury moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6** to **SS SB 665** and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 485, as amended, relating to security interests and liens, was taken up by Representative Kelly (24).

Representative Kelly (24) moved that the House refuse to recede from its position on **HCS SCS SB 485, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 711, as amended, relating to adoption and juvenile jurisdiction, was taken up by Representative Largent.

Representative Largent moved that the House refuse to recede from its position on **HCS SCS SB 711, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 739, as amended, relating to judicial proceedings, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SB 739, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 631, as amended, relating to agriculture, was taken up by Representative Reiboldt.

Representative Reiboldt moved that the House refuse to recede from its position on **HCS SCS SB 631, as amended**, and grant the Senate a conference.

Which motion was adopted.

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 119

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton

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Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
Molendorp	Montecillo	Nance	Neth	Newman
Nolte	Oxford	Parkinson	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Spreng	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	Wright	Wyatt	Zerr	

NOES: 003

Ellington	McNeil	Smith 71
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PRESENT: 024

Atkins	Bahr	Black	Colona	Conway 27
Ellinger	Elmer	Fallert	Hodges	Holsman
Hummel	Kelly 24	Leara	Marshall	McCreery
Morgan	Nichols	Pace	Solon	Sommer
Swearingen	Walton Gray	White	Wieland	

ABSENT WITH LEAVE: 017

Carter	Day	Diehl	Franz	Funderburk
Hough	Hughes	Koenig	May	Meadows
Nasheed	Pollock	Riddle	Still	Webb
Webber	Mr Speaker			

SB 599, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, as amended, House Amendment No. 4, as amended, and House Amendment No. 5, relating to gifted education, was taken up by Representative Dieckhaus.

Representative Dieckhaus moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, as amended, House Amendment No. 4, as amended, and House Amendment No. 5** to **SB 599**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SCS SB 692, relating to political subdivisions, was taken up by Representative Gatschenberger.

Representative Gatschenberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Section 192.300, Pages 66-67, by deleting all of said section from the bill; and

Further amend said bill, Section 339.501, Pages 75-76, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 13, Section 67.2010, Line 16, by inserting after all of said line the following:

"67.3000. 1. As used in this section and section 67.3005, the following words shall mean:

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
- (2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and
- (3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Jones (89) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 13, Section 71.009, Line 8, by inserting after all of said section, the following:

“72.401. 1. If a commission has been established pursuant to section 72.400 in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, **(1) any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, and (2) any voluntary annexation approved by municipal ordinance provided that the municipality owns the area to be annexed, that the area is contiguous with the municipality, and that the area is utilized only for parks and recreation purposes,** shall not be subject to commission review. Such a boundary adjustment **or annexation** is not prohibited by the existence of an established unincorporated area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 3** was adopted.

Representative Scharnhorst offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Sections 79.050 and 79.055, Pages 13-14, by deleting all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 4** was adopted.

Representative Schatz offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Section 12, Page 89, Line 19, by inserting after all of said line the following:

“Section 1. If new lateral sewer pipes or water service lines are installed or connected from or to an underground facility, as defined in section 219.015, or if such infrastructure is repaired, replaced, or rehabilitated, the contractor, utility, or person conducting the installation, connection, repair, replacement, or rehabilitation shall be required to use trace wire, or a similar device capable of being located by an above surface detection system designed to give approximate locations of the underground lateral sewer pipe or water service line, to mark the location of such pipes and lines in those areas that are located within a public right-of-way, easement, or street.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 5** was adopted.

Representative Lasater offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Section 79.050, Page 13, Line 8, by inserting immediately before the word “If” the following:

“Except as provided in subsection 4 of this section,”; and

Further amend said bill, section, and page, Lines 11-13, by deleting all of said lines and inserting in lieu thereof the following:

“be elected[, and]. The board of alderman may provide by ordinance that the same person may be elected marshal and collector, at the same election, and hold both offices and the”; and

Further amend said bill and section, Page 14, Line 30, by inserting the following after all of said line:

“4. In any city of the fourth classification with more than three thousand three hundred but fewer than three thousand seven hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the board of aldermen may provide by ordinance that the city marshal or chief of police shall be appointed instead of elected.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lasater, **House Amendment No. 6** was adopted.

Representative Stream offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 2, Section 44.035, Line 8, by inserting after all of said line the following:

"49.295. Notwithstanding any provision of law to the contrary, county commissioners may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities that does not change the size or capacity."; and

Further amend said bill, Page 8, Section 67.136, Line 8, by inserting after all of said line the following:

"67.285. 1. The following political subdivisions may enter into, by direct negotiation or through the solicitation of requests for proposals or requests for qualifications, a multiyear, asset management professional service contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities that does not change the size or capacity, which are owned, controlled, or operated by that political subdivision. Notwithstanding any other provision of law to the contrary, any of the following political subdivisions entering into or maintaining such an asset management professional services contract as described in this section shall not be required to pay prevailing wages for the maintenance work performed under such asset management contract. The provisions of this section shall apply only if the contract complies with subsection 2 of this section:

(1) County commissioners, a board of directors of a public water supply district, a board of trustees of a sanitary district, or a board of trustees of a sewer district;

(2) A municipal corporation through its director, mayor, city manager, village administrator, or other contracting officer, commission, board, or authority as authorized by ordinance of the municipal corporation's legislative authority.

2. A contract entered into under subsection 1 of this section shall include provisions that do all of the following:

(1) Provide that the contracting political subdivision is not required to make total payments in a single year that exceed the excess of:

(a) The political subdivision's water utility charges less;

(b) The operating expenses of the water system payable from such charges and the principal, interest, and other debt charges, including reserves and coverage requirements, for outstanding debt due in that year;

(2) Require that the work performed be done under the supervision of a professional engineer licensed under chapter 327, who certifies that the work will be performed in compliance with all applicable codes and engineering standards; and

(3) Provide that if, on the date of commencement of the contract, the water tank or appurtenant facilities require engineering, repair, sustainability, water quality management, or service in order to bring the tank or facilities into compliance with federal, state, or local requirements, the party contracting with the political subdivision shall provide the engineering, repair, sustainability, water quality management, or service. The cost of the work necessary to ensure such compliance shall be itemized separately and may be charged to the political subdivision in payments spread over a period of not less than three years from the date of commencement of the contract. The charges shall be paid after provision is made to pay operating expenses and the principal, interest, and other debt service charges, including reserves and coverage requirements for outstanding debt due in that year."; and

Further amend said bill, Page 13, Section 67.2010, Line 8, by inserting after all of said line the following:

"71.289. Notwithstanding any provision of law to the contrary, any municipal corporation that may be required by law to award contracts may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities."; and

Further amend said bill, Page 68, Section 205.042, Line 41, by inserting after all of said line the following:

"247.700. Notwithstanding any provision of the law to the contrary, a board of directors of a public water supply district may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities.

248.210. Notwithstanding any provision of law to the contrary, a board of trustees of a sanitary district may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities.

249.1200. Notwithstanding any provision of law to the contrary, a board of trustees of a sewer district may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith (150) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey

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Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Franz	Funderburk	Hinson	Hughes
Meadows	Nasheed	Pollock	Riddle	Schneider
Webb	Webber			

On motion of Representative Stream, **House Amendment No. 7** was adopted by the following vote:

AYES: 082

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
McGhee	McNary	Nance	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schoeller
Shumake	Smith 150	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wright
Wyatt	Mr Speaker			

NOES: 065

Anders	Atkins	Aull	Berry	Black
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Korman	Kratky	Lampe	Lasater
Loehner	Marshall	May	McCaherty	McCann Beatty

McCreery	McDonald	McGeoghegan	McManus	McNeil
Molendorp	Montecillo	Morgan	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schneider	Schupp
Shively	Sifton	Silvey	Smith 71	Solon
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Torpey	Walton Gray	Wieland	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 016

Carter	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Hinson	Hughes	Long	Meadows
Nasheed	Nolte	Pollock	Riddle	Webb
Webber				

Representative Cierpiot offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 77, Section 442.404, Line 28, by inserting immediately after said line the following:

“701.550. 1. As used in this section the following terms mean:

- (1) "Anemometer", an instrument for measuring and recording the speed of the wind;**
- (2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;**
- (3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.**

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

- (1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;**
- (2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;**
- (3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and**
- (4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.**

3. A violation of this section is a class B misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 8** was adopted.

Representative Hummel offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 14, Section 79.055, Line 16, by inserting after all of said section and line the following:

“84.190. 1. The boards of police commissioners are hereby authorized to provide themselves with such office and office furniture, and such clerks and subordinates as they shall need; and to have and use a common seal. They may divide such cities into [not more than twelve nor less than nine] police districts, **in such number and with such boundaries as the boards deem appropriate** and provide in each of them, if necessary, a station house or houses, with all things and equipments required for the same, and all such other accommodations as may be required for the use of the police.

2. The boards, for all the purposes of sections 84.010 to 84.340, shall have the use of the fire alarm telegraph of such cities for police purposes, and all station houses, watch boxes, firearms, equipments, accoutrements and other accommodations and things provided by such cities, for the use and service of the police, as fully and to the same extent as the same are now used by or for any present police, or as fully and to the same extent as the same may be used by any police force in any of the cities to which sections 84.010 to 84.340 may hereafter apply; and the mayor and common council or municipal assembly, and all persons and municipal officers in charge thereof, are hereby ordered and required to allow such use accordingly. In case the mayor and common council or municipal assembly of any of such cities, or its officers or agents, refuse or neglect to allow such use, as and whenever the same shall be required by the boards created by sections 84.010 to 84.340, or refuse to set aside and appropriate the revenue necessary to carry out the provisions of sections 84.010 to 84.340, or place obstructions or hindrances in the way of the proper discharge of the powers of such boards, the boards may apply to the circuit courts of the judicial circuit in which such cities may be located, in the name of the state, for a mandamus to compel a compliance with the provisions of this section, and the application thereof shall be heard and decided by the court. One week's notice of the application shall be given, and the respondent or respondents shall have the right to answer within the week; and if testimony be needed on either side, the same shall be taken within ten days after the same is filed, or the week shall be expired. From the decision in the circuit court in the premises either party may appeal within ten days; and it shall be the duty of the clerk of such courts to send up the record immediately, and the appeal shall be heard immediately by the supreme court, if then in session, and if not in session, at the next term. In both courts the case shall be taken up and tried in preference to all others.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 9** was adopted.

Representative Kelly (24) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 74, Section 313.321, Line 51, by inserting after all of said section and line, the following:

“321.015. 1. No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to:

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public; [, or to]

(2) Fire protection districts located wholly within counties of the second, third or fourth [class or] **classification;**

(3) **Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;**

(4) **Fire protection districts** located within [first class] **counties of the first classification** not adjoining any other [first class] county **of the first classification;** [, nor shall this section apply to]

(5) Fire protection districts located within any county of the first or second [class] **classification** not having more than nine hundred thousand inhabitants which borders any three [first class] counties **of the first classification**; [nor shall this section apply to]

(6) Fire protection districts located within any [first class] county **of the first classification** [without a charter form of government] which adjoins both a [first class] **charter county of the first classification** [with a charter form of government] with at least nine hundred thousand inhabitants, and adjoins at least four other counties;

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 10** was adopted.

Representative Gatschenberger offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Section 442.404, Pages 76-77, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nolte offered **House Substitute Amendment No. 1 for House Amendment No. 11**.

*House Substitute Amendment No. 1
for
House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 12, Section 67.1018, Line 30, by inserting immediately after said line the following:

"67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; [and]

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner:

Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:.....

If owner is not an individual, state what type of entity:

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

.....

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

.....

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF)

Before me personally appeared, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this day of (month), (year).

.....

Notary Public

My Commission Expires: ; and

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting

party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of purpose) in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Substitute Amendment No. 1 for House Amendment No. 11** was adopted.

Representative Talboy offered **House Amendment No. 12.**

House Amendment No.12

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 11, Section 67.548, Line 37, by inserting after all of said section, the following:

“67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

- (1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;
- (2) "County", any county or any city not within a county;
- (3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;
- (4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;
- (5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**
- (6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;
- [(6)] (7) "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;
- [(7)] (8) "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;
- [(8)] (9) "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.”; and

Further amend said bill, Page 12, Section 67.1018, Line 30, by inserting after all of said section, the following:

“67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district, **including any areas under concurrent jurisdiction with an agency of the United States government.** Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the

county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The [tax] **taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the [proposed] metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. 1. **For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712**, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of , state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall County join such other of (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to County for local park improvements, all as authorized by the (insert name of governing body) of County pursuant to (insert ordinance number), on the day of (insert month), (insert year)?

☐ YES

☐ NO

2. **For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712**, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall (insert county name) County join such other of (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to (insert county name) County for local and county park improvements as authorized by the (insert governing body name) of (insert county name) County under (insert ordinance number), on the (insert day) day of (insert month), (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?"

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and [sections] **subsection 1 of section 67.1715 and in section 67.1718.**

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769. **No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of**

paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754;

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district. **Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712;**

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. 1. The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization.”; and

Further amend said bill, Page 13, Section 67.2010, Line 16, by inserting after all of said section, the following:

“67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as “. Parks, Trails, and Greenways District”. In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of, state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to County and the cities within the County for local park improvements?

☐ YES

☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project

administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

- (1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;
- (2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;
- (3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;
- (4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and
- (5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant

to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042.”; and

Further amend said bill, Page 60, Section 143.790, Line 265, by inserting after all of said section, the following:

“144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, [2013] **2023**.

182.802. 1. [A] (1) Any public library district located in any of the following counties may impose a tax as provided in this section:

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; [or]

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No

tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for the purpose of providing funding for library district?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend said bill, Page 93, Section B, Line 6, by inserting after all of said section, the following:

“Section C. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 12** was adopted.

Representative Diehl offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 1, Line 13 of the Title, by deleting the words “political subdivisions” and inserting in lieu thereof the words “local government”; and

Further amend said bill, Page 76, Section 339.501, Line 36, by inserting after said line the following:

“483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county [and of the city of St. Louis], who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The

director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided, however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law by the state to an elected circuit clerk in such county if such charter provision was not in effect. The sum shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. This subsection shall become effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue to hold such office for the remainder of their elected terms as if they had been appointed pursuant to the terms of this subsection.

5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerk in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 13** was adopted.

Representative Bahr offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 60, Section 143.790, Line 265, by inserting after all of said section and line the following:

“188.125. 1. It is the intent of the general assembly to acknowledge the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference, and that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect such rights.

2. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling, referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.

3. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

4. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to any other remedies permitted by law.

5. As used in this section, "alternatives-to-abortion agency" means:

(1) A maternity home as defined in section 135.600;

- (2) A pregnancy resource center as defined in section 135.630; or
 (3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 14** was adopted.

Representative Cookson offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 11, Section 67.1018, Lines 2 and 3, by deleting said lines and inserting in lieu thereof the following:

“township form of government and with more than [five thousand nine hundred but fewer than six thousand inhabitants] **six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat** may impose a tax on the charges for all sleeping rooms, **RV sites, and**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman

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Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Cookson	Dieckhaus	Elmer	Flanigan
Franz	Fuhr	Hughes	Jones 117	Long
Meadows	Nasheed	Riddle	Shumake	Mr Speaker

On motion of Representative Cookson, **House Amendment No. 15** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Oxford	Pace

Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Elmer	Flanigan	Franz	Fuhr
Hughes	Meadows	Nasheed	Nichols	Riddle
Taylor				

On motion of Representative Gatschenberger, **HCS SCS SB 692, as amended**, was adopted.

Representative Gatschenberger moved that **HCS SCS SB 692, as amended**, be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 076

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brown 50	Brown 85	Brown 116	Cauthorn
Cierpiot	Cookson	Cox	Cross	Day
Dieckhaus	Diehl	Elmer	Fisher	Fitzwater
Fraker	Frederick	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Loehner	McGhee	McNary	Nance	Neth
Nolte	Phillips	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Silvey
Smith 150	Stream	Thomson	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 077

Anders	Atkins	Aull	Berry	Black
Brattin	Burlison	Carlson	Casey	Colona
Conway 14	Conway 27	Crawford	Curtman	Davis
Denison	Dugger	Ellinger	Ellington	Entlicher
Fallert	Franklin	Funderburk	Guernsey	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Koenig	Kratky
Lampe	Lasater	Lichtenegger	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Parkinson	Pierson
Pollock	Quinn	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Smith 71	Solon

Sommer	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber	Wieland			

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 009

Carter	Flanigan	Franz	Fuhr	Hughes
Long	Meadows	Nasheed	Riddle	

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1329**, entitled:

An act to repeal sections 32.087, 144.069, 144.757, and 301.140, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with an emergency clause and a contingent effective date for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1909**, entitled:

An act to repeal section 144.805, RSMo, and to enact in lieu thereof one new section relating to sales of aviation jet fuel.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Bill No. 1909, Page 1, Section Title, Lines 2-3 of the Title, by striking "sales of aviation jet fuel" and inserting in lieu thereof the following:

"aviation"; and

Further amend said bill, Page 2, Section 144.805, Line 34, by inserting immediately after said line the following:

"430.020. Every person who shall keep or store any vehicle[,] **or** part or equipment thereof, shall, for the amount due therefor, have a lien; and every person who furnishes labor or material on any vehicle [or aircraft,] or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner of the vehicle [or aircraft], or part or equipment thereof, **and every person who furnishes labor or material on any aircraft or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner, authorized agent of the owner, or person in lawful possession of the aircraft or part or equipment thereof,** shall have a lien for the amount of such work or material as is ordered or stated in such written memorandum. Such liens shall be on the vehicle or aircraft, or part or equipment thereof, as shall be kept or stored, or be placed in the possession of the person furnishing the labor or material; provided,

however, the person furnishing the labor or material **on the aircraft or part or equipment thereof**, may retain the lien after surrendering possession of the aircraft or part or equipment thereof by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof resides, if known to the claimant, and in the office of the county recorder of the county where the labor or material was furnished. Such statement shall be filed within [thirty] **one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless said lien has also been filed with the Federal Aviation Administration Aircraft Registry.

430.082. 1. Every person expending labor, services, skill or material upon any motor vehicle or trailer, as defined in chapter 301, vessel, as defined in chapter 306, outboard motor [or], **or aircraft, or part or equipment of an aircraft**, at a written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or who provides storage for a motor vehicle, trailer, outboard motor or vessel, at the written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or at the written request of a peace officer in lieu of the owner or owner's agent, where such owner or agent is not available to request storage thereof, shall, where the maximum amount to be charged for labor, services, skill or material has been stated as part of the written request or the daily charge for storage has been stated as part of the written request, have a lien upon the chattel beginning upon the date of commencement of the expenditure of labor, services, skill, materials or storage for the actual value of all the expenditure of labor, services, skill, materials or storage until the possession of that chattel is voluntarily relinquished to the owner, authorized agent, or one entitled to possession thereof. The person furnishing labor, services, skill or material **upon an aircraft or part or equipment thereof**, may retain the lien after surrendering possession of the aircraft or part or equipment thereof, by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof, resides, if known to the claimant, and in the office of the county recorder of the county where the claimant performed the services. Such statement shall be filed within [thirty] **one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless the lien has also been filed with the Federal Aviation Administration Aircraft Registry.

2. If the chattel is not redeemed within forty-five days of the completion of the requested labor, services, skill or material, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title.

3. If the charges are for storage or the service of towing the motor vehicle, trailer, outboard motor or vessel, and the chattel has not been redeemed within forty-five days after the charges for storage commenced, the lienholder shall notify by certified mail, postage prepaid, the owner and any lienholders of record other than the person making the notification, at the person's last known address that application for a lien title will be made unless the owner or lienholder within thirty days makes satisfactory arrangements with the person holding the chattel for payment of storage or service towing charges, if any, or makes satisfactory arrangements with the lienholder for paying such charges or for continued storage of the chattel if desired. Thirty days after the notification has been mailed and the chattel is unredeemed, or the notice has been returned marked "not forwardable" or "addressee unknown", and no satisfactory arrangement has been made with the lienholder for payment or continued storage, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title as provided in this section.

4. The application shall be accompanied by:

(1) The original or a conformed or photostatic copy of the written request of the owner or the owner's agent or of a peace officer with the maximum amount to be charged stated therein;

(2) An affidavit from the lienholder that written notice was provided to all owners and lienholders of the applicants' intent to apply for a certificate of ownership and the owner has defaulted on payment of labor, services, skill or material and that payment is forty-five days past due, or that owner has defaulted on payment or has failed to make satisfactory arrangements for continued storage of the chattel for thirty days since notification of intent to make application for a certificate of ownership or certificate of title. The affidavit shall be accompanied by a copy of the thirty-day notice given by certified mail to any owner and person holding a valid security interest and a copy of the certified mail receipt indicating that the owner and lienholder of record was sent a notice as required in this section;

(3) A statement of the actual value of the expenditure of labor, services, skill or material, or the amount of storage due on the date of application for a certificate of ownership or certificate of title, and the amount which is unpaid; and

(4) A fee of ten dollars.

5. If the director is satisfied with the genuineness of the application, proof of lienholder notification in the form of a certified mail receipt, and supporting documents, and if no lienholder or the owner has redeemed the chattel or no satisfactory arrangement has been made concerning payment or continuation of storage, and if no owner or lienholder

has informed the director that the owner or lienholder demands a hearing as provided in this section, the director shall issue, in the same manner as a repossessed title is issued, a certificate of ownership or certificate of title to the applicant which shall clearly be captioned "Lien Title".

6. Upon receipt of a lien title, the holder shall within ten days begin proceedings to sell the chattel as prescribed in section 430.100.

7. The provisions of section 430.110 shall apply to the disposition of proceeds, and the lienholder shall also be entitled to any actual and necessary expenses incurred in obtaining the lien title, including, but not limited to, court costs and reasonable attorney's fees."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 1909, Page 1, Section Title, Lines 2-3, by striking the words "sales of aviation jet fuel" and inserting in lieu thereof the following:

"aviation"; and

Further amend said bill, Page 2, Section 144.805, Line 34, by inserting immediately after said line the following:

"701.550. 1. As used in this section the following terms mean:

(1) "Anemometer", an instrument for measuring and recording the speed of the wind;

(2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;

(3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

3. A violation of this section is a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

THIRD READING OF SENATE BILL

HCS#2 SCS SB 480, relating to transportation, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 8, Section 144.030, Line 36, by removing the opening and closing brackets “[]” around the phrase “motor vehicles,” on said line; and

Further amend said bill, Page 9, Section 144.030, Line 64, by inserting after the word, “state” the following, “, **including any titled manufacturing or mining equipment,**”; and

Further amend said bill, Section 301.010, Page 27, Line 283, by inserting after all of said section and line the following:

“301.4036. 1. Notwithstanding any other provision of law, any member of the National Wild Turkey Federation, after an annual payment of an emblem-use fee to the National Wild Turkey Federation, may receive personalized specialty license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Wild Turkey Federation hereby authorizes the use of its official emblem to be affixed on multiyear personalized specialty license plates as provided in this section. Any contribution to the National Wild Turkey Federation derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Wild Turkey Federation. Any member of the National Wild Turkey Federation may annually apply for the use of the emblem.

2. Upon annual application and payment of a fifteen dollar emblem-use contribution to the National Wild Turkey Federation, the National Wild Turkey Federation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a fifteen-dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a personalized specialty license plate which shall bear the emblem of the National Wild Turkey Federation. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, and prescribed by section 301.130. In addition, upon each set of license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the words "National Wild Turkey Federation". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalized specialty plates issued under this section.

3. A vehicle owner who was previously issued a plate with the National Wild Turkey Federation's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the National Wild Turkey Federation's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a National Wild Turkey Federation specialty plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such personalized specialty license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.”; and

Further amend said bill, Page 39, Section 302.768, Line 56, by inserting after all of said section and line the following:

“303.200. After consultation with insurance companies authorized to issue automobile liability policies in this state, the director of the department of insurance, financial institutions and professional registration shall approve a reasonable plan or plans for the equitable apportionment among such companies of applicants for such policies and for motor vehicle liability policies who are in good faith entitled to but are unable to procure such policies through ordinary methods. When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. **Any such plan shall contract with an entity or entities to accept and service applicants and policies for any company that does not elect to accept and service applicants and policies. By October 1 of each year any company that elects to accept and service applicants and policies for the next calendar year for any such plan shall so notify the plan. Any company that does not so notify a plan shall be excused from accepting and servicing applicants and policies for the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing such services. The fee shall be based on the company’s market share on the kinds of insurance offered by the plan.** Any applicant for any such policy, any person insured under any such plan, and any insurance company affected, may appeal to the director from any ruling or decision of the manager or committee designated to operate such plan. Any person aggrieved hereunder by any order or act of the director may, within ten days after notice thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree.”; and

Further amend said bill, Section 577.606, Line 21, Page 52, by inserting after all of said section and line the following:

“Section 1. 1. Any member of the National Rifle Association, after an annual payment of an emblem-use authorization fee to the National Rifle Association, may receive special license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Rifle Association hereby authorizes the use of its official emblem to be affixed on multi-year personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the National Rifle Association derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Rifle Association. Any member of the National Rifle Association may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the National Rifle Association, that organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special license plate which shall bear the emblem of the National Rifle Association and the words "National Rifle Association" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner who was previously issued a plate with the National Rifle Association emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (117) offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 6, by inserting after all of said line the following:

‘Further amend said bill, Page 27, Section 301.010, Line 283, by inserting after all of said line the following:

“House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

“301.449. [Any] **Only a community college or four-year public or private institution of higher education, or a foundation or organization representing the college or institution**, located in the state of Missouri may **itself** authorize **or may by the director of revenue be authorized to use the school’s** [the use of its] official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to such institution derived from this section, except reasonable administrative costs, shall be used for scholarship endowment or other academically related purposes. Any vehicle owner may annually apply to the institution for the use of the emblem. Upon annual application and payment of an emblem use contribution to the institution, which shall be set by the governing body of the institution at an amount of at least twenty-five dollars, the institution shall issue to the vehicle owner, without further charge, an "emblem use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the institution, to the vehicle owner. The license plate authorized by this section shall use the school colors of the institution, and those colors shall be constructed upon the license plate using a process to ensure that the school emblem shall be displayed upon the license plate in the clearest and most attractive manner possible. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The license plate authorized by this section shall be issued with a design approved by both the institution of higher education and the advisory committee established in section 301.129. A vehicle owner, who was previously issued a plate with an institutional emblem authorized by this section and does not provide an emblem use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the institutional emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms including establishing a minimum number of license plates which can be issued with the authorized emblem of a participating institution.

301.3150. 1. An organization, other than an organization seeking a special military license plate **or a collegiate or university plate**, that seeks authorization to establish a new specialty license plate shall initially petition the department of revenue by submitting the following:

(1) An application in a form prescribed by the director for the particular specialty license plate being sought, describing the proposed specialty license plate in general terms and have a sponsor of at least one current member of the general assembly **in the same legislative session in which the application is reviewed pursuant to subsection 5 of section 21.795, RSMo**. The application may contain written testimony for support of this specialty plate;

(2) Each application submitted pursuant to this section shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate if the specialty plate is approved pursuant to this section;

(3) An application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing and programming the implementation of the specialty plate, if authorized; and

(4) All moneys received by the department of revenue, for the reviewing and development of specialty plates shall be deposited in the state treasury to the credit of the "Department of Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall be custodian of the fund and shall make disbursements from the fund requested by the Missouri director of revenue for personal services, expenses, and equipment required to prepare, review, develop, and disseminate a new specialty plate and process the two hundred applications to be submitted once the plate is approved and to refund deposits for the application of such specialty plate, if the application is not approved by the joint committee on transportation oversight and for no other purpose.

2. At the end of each state fiscal year, the director of revenue shall:

- (1) Determine the amount of all moneys deposited into the department of revenue specialty plate fund;
- (2) Determine the amount of disbursements from the department of revenue specialty plate fund which were made to produce the specialty plate and process the two hundred applications; and

- (3) Subtract the amount of disbursements from the income figure referred to in subdivision (1) of this subsection and deliver this figure to the state treasurer.

3. The state treasurer shall transfer an amount of money equal to the figure provided by the director of revenue from the department of revenue specialty plate fund to the state highway department fund. An unexpended balance in the department of revenue specialty plate fund at the end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the provisions of section 33.080 relating to transfer of unexpended balances to the general revenue fund.

4. The documents and fees required pursuant to this section shall be submitted to the department of revenue by July first prior to the next regular session of the general assembly to be approved or denied by the joint committee on transportation oversight during that legislative session.

5. The department of revenue shall give notice of any proposed specialty plate in a manner reasonably calculated to advise the public of such proposal. Reasonable notice shall include posting the proposal for the specialty plate on the department's official public website, and making available copies of the specialty plate application to any representative of the news media or public upon request and posting the application on a bulletin board or other prominent public place which is easily accessible to the public and clearly designated for that purpose at the principal office.

6. Adequate notice conforming with all the requirements of subsection 5 of this section shall be given not less than four weeks, exclusive of weekends and holidays when the facility is closed, after the submission of the application by the organization to the department of revenue. Written or electronic testimony in support or opposition of the proposed specialty plate shall be submitted to the department of revenue by November thirtieth of the year of filing of the original proposal. All written testimony shall contain the printed name, signature, address, phone number, and email address, if applicable, of the individual giving the testimony.

7. The department of revenue shall submit for approval all applications for the development of specialty plates to the joint committee on transportation oversight during a regular session of the general assembly for approval.

8. If the specialty license plate requested by an organization is approved by the joint committee on transportation oversight, the organization shall submit the proposed art design for the specialty license plate to the department as soon as practicable, but no later than sixty days after the approval of the specialty license plate. If the specialty license plate requested by the organization is not approved by the joint committee on transportation oversight, ninety-seven percent of the application fee shall be refunded to the requesting organization.

9. An emblem-use authorization fee may be charged by the organization prior to the issuance of an approved specialty plate. The organization's specialty plate proposal approved by the joint committee on transportation oversight shall state what fee is required to obtain such statement and if such fee is required annually or biennially, if the applicant has a two-year registration. An organization applying for specialty plates shall authorize the use of its official emblem to be affixed on multiyear personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the organization derived from the emblem-use contribution, except reasonable administrative costs, shall be used solely for the purposes of the organization. Any member of the organization or nonmember, if applicable, may annually apply for the use of the emblem, if applicable.

10. The department shall begin production and distribution of each new specialty license plate within one year after approval of the specialty license plate by the joint committee on transportation oversight.

11. The department shall issue a specialty license plate to the owner who meets the requirements for issuance of the specialty plate for any motor vehicle such owner owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

12. Each new or renewed application for an approved specialty license plate shall be made to the department of revenue, accompanied by an additional fee of fifteen dollars and the appropriate emblem-use authorization statement.

13. The appropriate registration fees, fifteen dollar specialty plate fee, processing fees and documents otherwise required for the issuance of registration of the motor vehicle as set forth by law must be submitted at the time the specialty plates are actually issued and renewed or as otherwise provided by law. However, no additional fee for the personalization of this plate shall be charged.

14. Once a specialty plate design is approved, a request for such plate may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, all documentation, credits, and fees provided for in this chapter when replacing a current license plate shall apply.

15. A vehicle owner who was previously issued a plate with an organization emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration if required, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law.

16. Specialty license plates shall bear a design approved by the organization submitting the original application for approval by the joint committee on transportation oversight. The design shall be within the plate area prescribed by the director of revenue, and the designated organization's name or slogan shall be in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this section. In addition to a design, the specialty license plates shall be in accordance with criteria and plate design set forth in this chapter.

17. The department is authorized to discontinue the issuance and renewal of a specialty license plate if the organization has stopped providing services and emblem-use authorization statements are no longer being issued by the organization. Such organizations shall notify the department immediately to discontinue the issuance of a specialty plate.

18. The organization that requested the specialty license plate shall not redesign the specialty personalized license plate unless such organization pays the director in advance all redesigned plate fees. All plate holders of such plates must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 051

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 015

Anders	Carter	Elmer	Franz	Fuhr
Hughes	McGhee	Meadows	Nasheed	Riddle
Sater	Schatz	Stream	Talboy	Mr Speaker

On motion of Representative Burlison, **House Amendment No. 1, as amended**, was adopted.

Representative Smith (150) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 39, Section 302.768, Line 56, by inserting after said line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet

between the extremes

of any group of two or

more consecutive axles,

measured to the nearest

foot, except where

indicated otherwise

	2 axles	3 axles	4 axles	5 axles	6 axles
feet					
4	34,000				
5	34,000				
6	34,000				

7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in [subsection] **subsections 9 and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36]. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection, shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 2** was adopted.

Representative Denison offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Pages 15 to 19, Section 260.392, by deleting all of said section and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each [cask transported] **truck transporting** through or within the state [by truck of] high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All [casks] **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments [transported by truck] are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCreery offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Pages 15-19, Section 260.392, Lines 1-151, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Reiboldt	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 050

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 017

Anders	Carter	Cierpiot	Dieckhaus	Fraker
Fuhr	Holsman	Hughes	Kelly 24	McCaherty
Meadows	Nasheed	Redmon	Richardson	Riddle
Smith 150	Mr Speaker			

Representative McCreery moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Atkins	Aull	Black	Carlson	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Hubbard	Jones 63	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Molendorp	Morgan
Newman	Nichols	Oxford	Pace	Quinn
Sater	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Wyatt

NOES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Montecillo	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Reiboldt
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Wallingford	Webber	Wells	White
Wieland	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 020

Anders	Brown 50	Carter	Dieckhaus	Fraker
Fuhr	Holsman	Hughes	Hummel	Kelly 24
Kratky	Meadows	Nasheed	Pierson	Redmon
Richardson	Riddle	Torpey	Weter	Mr Speaker

On motion of Representative Denison, **House Amendment No. 3** was adopted.

Representative Pollock offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 27, Section 301.010, Line 283, by inserting after all of said line the following:

“301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman offered **House Amendment No. 1 to House Amendment No. 4**.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 2, Line 23, by inserting after all of said line the following:

‘Further amend said bill, Section 577.606, Page 52, Line 21, by inserting after all of said section and line the following:

“Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1 to House Amendment No. 4** was adopted.

Representative Hough offered **House Amendment No. 2 to House Amendment No. 4.**

House Amendment No. 2
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 2, Line 22, by inserting after all of said line the following:

‘Further amend said bill, Page 39, Section 302.768, Line 56, by inserting after all of said section and line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
(2) Establish one-way streets and provide for the regulation of vehicles thereon;
(3) Require vehicles to stop before crossing certain designated streets and boulevards;
(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle;

5. No ordinance shall deny the use of commercial vehicles on all routes within the municipality. For purposes of this section, the term route shall mean any state road, county road, or public street, avenue, boulevard, or parkway.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 2 to House Amendment No. 4** was adopted.

On motion of Representative Pollock, **House Amendment No. 4, as amended**, was adopted.

Representative Guernsey offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 39, Section 302.768, Line 56, by inserting after all of said section and line the following:

“304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for

the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 11, by inserting after the word “**residence**” the phrase “**or property owned or leased by the operator**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 5** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hinson	Hoskins	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150

Solon	Sommer	Stream	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Fallert
Harris	Hodges	Hummel	Kander	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 027

Carter	Colona	Dieckhaus	Diehl	Ellington
Entlicher	Franz	Fuhr	Funderburk	Hampton
Higdon	Holsman	Hough	Hubbard	Hughes
Jones 63	Kelly 24	May	Meadows	Nasheed
Newman	Parkinson	Riddle	Schad	Talboy
Wallingford	Mr Speaker			

On motion of Representative Guernsey, **House Amendment No. 5, as amended**, was adopted.

Representative Brown (116) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 40, Section 306.532, Lines 1-8, by deleting all of said lines and inserting in lieu thereof the following:

“306.532. Effective [January 1, 2011] **August 28, 2012**, the certificate of title for a new outboard motor shall designate the year the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW". **Any outboard motor manufactured on or after July first of any year shall be labeled with the "Year Manufactured" with the calendar year immediately following the year manufactured unless the manufacturer indicates a specific model or program year.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (116), **House Amendment No. 6** was adopted.

Representative Jones (117) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 27, Section 301.010, Line 283, by inserting after all of said line the following:

- "302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:
- (1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;
 - (2) To any person who is under the age of sixteen years, except as hereinafter provided;
 - (3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;
 - (4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;
 - (5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;
 - (6) To any person who, when required by this law to take an examination, has failed to pass such examination;
 - (7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;
 - (8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;
 - (9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;
 - (10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time;
 - (11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;
 - (12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.
2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. **The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.** The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered**

any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.”; and

Further amend said bill, Pages 27 through 31, Section 302.304, by deleting all of said section and inserting in lieu thereof the following:

“302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. **If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations.**

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, **or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,** the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with

the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on

or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with

chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection**, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; [or]

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days** of such revocation, **provided the person is not otherwise ineligible for a limited driving privilege.**

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least [three years] **forty-five days** of such disqualification or revocation.

Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding [three years] **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least [two years] **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding [two years] **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

Further amend said bill, Page 32, Section 302.341, Line 46, by inserting after all of said line the following:

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. **If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. Upon completion of such ninety-day period of restricted driving privilege, upon**

compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Page 52, Section B, Line 7, by inserting after all of said line the following:

"Section C. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become effective July 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 050

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 017

Anders	Berry	Carter	Conway 27	Dieckhaus
Fisher	Fuhr	Higdon	Hughes	Meadows
Nasheed	Parkinson	Riddle	Stream	Swearingen
Wallingford	Mr Speaker			

On motion of Representative Jones (117), **House Amendment No. 7** was adopted.

Representative Nolte offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Section A, Line 5, by inserting after all of said section, the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; [and]
 (2) Grant county [sales tax] revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233;

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. [If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue] **In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy.**

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; [and]

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner:

Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:.....

If owner is not an individual, state what type of entity:

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

.....

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

.....

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF)

Before me personally appeared, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this day of (month), (year).

.....

Notary Public

My Commission Expires: ; and

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of purpose) in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 8** was adopted.

Representative Gatschenberger offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 15, Section 144.030, Line 287, by after all of said section and line inserting the following:

“227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.”; and

Further amend said bill, Page 27, Section 301.010, Line 283, by after all of said section and line inserting the following:

“301.3163. Any person may apply for [special] specialty personalized "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the [special] specialty personalized license plates on a form provided by the director of revenue. The director shall then issue specialty personalized license plates bearing letters or numbers or a combination thereof as determined by the [advisory committee established in section 301.129] director, with the words "DON'T TREAD ON ME" [in place of the words "SHOW-ME STATE"] centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Marshall offered **House Amendment No. 1 to House Amendment No. 9**.

House Amendment No. 1

to

House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 7, by inserting after all of said line, the following:

‘Further amend said bill, page, section, and line, by inserting all of said line, the following:

“227.510. The portion of Interstate 29 in Platte County, from the intersection of Missouri 273/371 north to the intersection of Route U/E shall be designated the "Trooper Fred F. Guthrie Jr. Memorial Highway". Costs for such designation shall be paid by private donations.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schneider	Shumake
Silvey	Smith 150	Solon	Sommer	Thomson
Wallingford	Weter	White	Wieland	Wyatt
Zerr				

NOES: 045

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Kander
Kelly 24	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 027

Anders	Carter	Denison	Dieckhaus	Dugger
Hubbard	Hughes	Hummel	Jones 63	Jones 117
May	McManus	Meadows	Molendorp	Nasheed
Phillips	Quinn	Richardson	Riddle	Rizzo
Schieber	Schoeller	Stream	Torpey	Wells
Wright	Mr Speaker			

On motion of Representative Marshall, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Brattin offered **House Amendment No. 2 to House Amendment No. 9**.

House Amendment No. 2
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 25, by inserting after all of said line the following:

‘Further amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 27, Section 301.010, Line 283, by inserting after all of said section and line the following:

“301.3161. 1. **Notwithstanding any other provision of law to the contrary**, any person may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual contribution of twenty-five dollars to the Cass County collector of revenue. Any contribution derived from this section, except reasonable administrative costs, shall be distributed within the county as follows:

- (1) [Eighty] **Seventy** percent to public safety; [and]
- (2) **Fifteen percent to the Cass County Historical Society; and**
- (3) [Twenty] **Fifteen** percent to the Cass County parks and recreation [department].

2. Upon annual application and payment of twenty-five dollars the county shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a [personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" in the place of the words "SHOW-ME STATE"] **specialty personalized license plate which shall bear the emblem of the Cass County Burnt District and the words "CASS COUNTY -- THE BURNT DISTRICT" at the bottom of the plate in a manner prescribed by the director of revenue.** Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for personalization of license plates under this section.

3. [The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void] **Prior to the issuance of a specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.**

4. **The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and’; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 2 to House Amendment No. 9** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Wallingford
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 046

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 016

Anders	Carter	Ellington	Hughes	Hummel
May	McManus	Meadows	Phillips	Riddle
Schieffer	Torpey	Walton Gray	Webb	Wells
Mr Speaker				

On motion of Representative Gatschenberger, **House Amendment No. 9, as amended**, was adopted.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 116	Burlison	Cauthorn
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Keeney	Kelley 126	Klippenstein	Koenig	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Weter
White	Wright	Wyatt	Zerr	

NOES: 041

Atkins	Aull	Black	Brown 50	Carlson
Casey	Conway 27	Fallert	Harris	Hodges
Holsman	Hubbard	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Swearingen	Talboy	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 038

Allen	Anders	Brown 85	Carter	Cierpiot
Colona	Ellinger	Ellington	Fitzwater	Flanigan
Franz	Grisamore	Higdon	Hughes	Hummel
Jones 89	Jones 117	Korman	Leara	Loehner
May	McDonald	McManus	Meadows	Parkinson
Phillips	Pollock	Redmon	Riddle	Schieffer
Still	Swinger	Taylor	Torpey	Webb
Wells	Wieland	Mr Speaker		

On motion of Representative Burlison, **HCS#2 SCS SB 480, as amended**, was adopted.

On motion of Representative Burlison, **HCS#2 SCS SB 480, as amended**, was read the third time and passed by the following vote:

AYES: 112

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 032

Atkins	Carlson	Ellinger	Hodges	Holsman
Hubbard	Jones 63	Kirkton	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 019

Anders	Carter	Colona	Ellington	Fitzwater
Franz	Grisamore	Higdon	Hughes	Hummel
Loehner	May	McManus	Meadows	Riddle
Schieffer	Taylor	Webb	Mr Speaker	

Representative Keeney declared the bill passed.

Representative Smith (150) assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 485: Representatives Wells, Cierpiot, Richardson, Kelly (24) and Atkins

SB 599: Representatives Dieckhaus, Stream, Fitzwater, Lampe and Aull

SS SB 665: Representatives Cox, Asbury, Richardson, McManus and Hummel

HCS SCS SB 711: Representatives Largent, Cox, Long, Carlson and Colona

HCS SB 739: Representatives Cox, Diehl, Jones (89), McManus and Kelly (24)

THIRD READING OF SENATE BILLS

HCS SCS SB 673, relating to motor vehicles, was taken up by Representative Day.

Representative Johnson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 20, Section 302.020, Lines 17-19, by deleting all of said lines; and

Further amend said bill and section, by renumbering subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 1** was adopted by the following vote:

AYES: 103

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McGhee	McNary	Molendorp	Montecillo	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 032

Carlson	Colona	Ellinger	Ellington	Hodges
Holsman	Hubbard	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Still	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 028

Anders	Atkins	Carter	Curtman	Dieckhaus
Dugger	Franz	Grisamore	Harris	Higdon
Hughes	Hummel	Lasater	Long	May
McManus	Meadows	Nasheed	Redmon	Richardson
Riddle	Scharnhorst	Sifton	Smith 71	Spreng
Webb	Wyatt	Mr Speaker		

Representative Wright offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

“301.580. 1. The department of revenue may issue special event motor vehicle auction licenses under the provisions of this section. For purposes of this section, a "special event motor vehicle auction" is a motor vehicle auction which:

- (1) Ninety percent of the vehicles being auctioned are at least ten years old or older;**
- (2) The licensee shall auction no more than three percent of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners; and**
- (3) The duration is no more than three consecutive calendar days and is held no more than three times in a calendar year by a licensee.**

2. A special event motor vehicle auction shall be considered a public motor vehicle auction for purposes of sections 301.559 and 301.564.

3. Special event motor vehicle auction licensees shall be exempt from the requirements of section 301.560, with the exception of subdivision (4) of subsection 1 of section 301.560.

4. An application for a special event motor vehicle auction license must be received by the department at least ninety days prior to the beginning of the special event auction.

5. Applicants for a special motor vehicle auction are limited to no more than three special event auctions in any calendar year. A separate application is required for each special event motor vehicle auction.

6. At least ninety percent of the vehicles being auctioned at a special event motor vehicle auction shall be ten years old or older. The licensee shall, within ten days of the conclusion of a special event motor vehicle auction, submit a report in the form approved by the director to the department that includes the make, model, year, and vehicle identification number of each vehicle included in the auction. Every vehicle included in the special event auction shall be listed, including those vehicles that were auctioned and sold and those vehicles that were auctioned but did not sell. Violation of this subsection is a class A misdemeanor.

7. The applicant for the special event motor vehicle auction shall be responsible for ensuring that a sales tax license or special event sales tax license is obtained for the event if one is required.

8. The fee for a special event motor vehicle auction license shall be one thousand dollars. For every vehicle auctioned in violation of subsection 6 of this section, an administrative fee of five hundred dollars shall be paid to the department. Such fees shall be deposited in like manner as other license fees of this section.

9. In addition to the causes set forth in section 301.562, the department may promulgate rules that establish additional causes to refuse to issue or to revoke a special event license.

10. A special motor vehicle auction shall last no more than three consecutive days.

11. The applicant for a special event motor vehicle auction shall be registered to conduct business in this state.

12. Every applicant for a special event motor vehicle auction license shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102 issued by any state or federal financial institution in the penal sum of one hundred thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the applicant complying with the provisions of the statutes applicable to a special event auction license holder and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the revocation or denial of a special event auction license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary. The aggregate liability of the surety or financial institution to the aggrieved parties shall not exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.

13. No dealer, driveaway, auction, or wholesale plates, or temporary permit booklets, shall be issued in conjunction with a special event motor vehicle auction license.

14. Any person or entity who sells a vehicle at a special event motor vehicle auction shall provide, to the buyer, current contact information including, but not limited to, name, address, and telephone number.

15. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 2** was adopted.

Representative Houghton offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 2, Section 136.055, Line 47, by inserting after all of said section and line, the following:

“227.512. The portion of Route 94 in Callaway County from one mile east of Route D to the intersection of U.S. 54 shall be designated the "AMVETS Memorial Highway". Costs for such designation shall be paid by private donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Houghton, **House Amendment No. 3** was adopted.

Representative Jones (117) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 20, Section 302.020, Line 40, by inserting after all of said line the following:

- "302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:
- (1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;
 - (2) To any person who is under the age of sixteen years, except as hereinafter provided;
 - (3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;
 - (4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;
 - (5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;
 - (6) To any person who, when required by this law to take an examination, has failed to pass such examination;
 - (7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;
 - (8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;
 - (9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;
 - (10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time;
 - (11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;
 - (12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.
2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. **The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.** The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered**

any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.”; and

Further amend said bill, Page 25, Section 302.173, Line 66, by inserting after all of said line the following:

“302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. **If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations.**

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, **or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,** the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from

the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent

for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court

or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with

chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection**, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; [or]

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days** of such revocation, **provided the person is not otherwise ineligible for a limited driving privilege.**

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least [three years] **forty-five days** of such disqualification or revocation.

Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding [three years] **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least [two years] **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding [two years] **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. **If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated.**

However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Page 25, Section C, Line 2, by inserting after all of said line the following:

"Section D. The repeal and reenactment of sections 302.304, 302.309, and 302.525 of this act shall become effective July 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 4** was adopted.

Representative Pollock offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 25, Section 302.173, Line 66, by inserting after all of said section and line the following:

“Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 5** was adopted.

Representative Guernsey offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 2, Section 136.055, Line 47, by inserting after all of said section and line the following:

“301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest

products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor

vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is [sixty] **sixty-four** inches or less in width, with an unladen dry weight of [one] **two** thousand [eight hundred fifty] pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 25, Section 302.173, Line 66, by inserting after all of said section and line the following:

"304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No. 1
to
House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 8, Line 13, by inserting after the word “**residence**” on said line, the phrase “**or property owned or leased by the operator**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Guernsey, **House Amendment No. 6, as amended**, was adopted.

Representative Grisamore offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 17, Section 301.142, Line 215, by inserting after said line the following:

“301.143. 1. As used in this section, the term “vehicle” shall have the same meaning given it in section 301.010, and the term “physically disabled” shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or

301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard**. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "\$50 to \$300 fine." [Beginning August 28, 2011, When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one in every four accessible spaces, but not less than one, shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto.] **When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot with twenty-five or more parking spaces, the parking lot and accessible signs shall meet the minimum requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto, for the number of required accessible parking spaces, which shall not be less than one, and shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "van accessible". If any accessible space is one hundred thirty-two inches wide or wider, then the adjacent access aisle shall be a minimum of sixty inches wide. If any accessible space is less than one hundred thirty-two inches wide, then the adjacent access aisle shall be a minimum of ninety-six inches wide.**

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public off-street parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard**.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or [card] **placard** on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or [card] **placard** issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed the international symbol of accessibility and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard**. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a [card] **placard** is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for the exclusive use of vehicles displaying a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection and any such space shall have clearly and visibly painted upon it the international symbol of accessibility [and any curb adjacent to the space shall be clearly and visibly painted blue].

6. Any person who, without authorization, uses a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of a class B misdemeanor.

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 2011, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate.

9. Beginning August 28, 2011, all new signs erected under this section shall not contain the words "Handicap Parking" or "Handicapped Parking."; and

Further amend said bill, Page 25, Section C, Line 2, by inserting after said line the following:

"Section D. Because immediate action is necessary to ensure compliance with the federal Americans With Disabilities Act, the repeal and reenactment of section 301.143 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 301.143 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 7** was adopted.

Representative Brattin offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

"301.3161. 1. **Notwithstanding any other provision of law to the contrary**, any person may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual contribution of twenty-five dollars to the Cass County collector of revenue. Any contribution derived from this section, except reasonable administrative costs, shall be distributed within the county as follows:

- (1) [Eighty] **Seventy** percent to public safety; [and]
- (2) **Fifteen percent to the Cass County Historical Society; and**
- (3) [Twenty] **Fifteen** percent to the Cass County parks and recreation [department].

2. Upon annual application and payment of twenty-five dollars the county shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a [personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" in the place of the words "SHOW-ME STATE"] **specialty personalized license plate which shall bear the emblem of the Cass County Burnt District and the words "CASS COUNTY -- THE BURNT DISTRICT" at the bottom of the plate in a manner prescribed by the director of revenue.** Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for personalization of license plates under this section.

3. [The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void] **Prior to the issuance of a specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two**

hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

4. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 8** was adopted.

Representative Gatschenberger offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 4, Section 136.055, Line 41, by after all of said section and line inserting the following:

“227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.”; and

Further amend said bill, Page 19, Section 301.302, Line 7, by after all of said section and line inserting the following:

“301.3163. Any person may apply for [special] specialty personalized "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the [special] specialty personalized license plates on a form provided by the director of revenue. The director shall then issue specialty personalized license plates bearing letters or numbers or a combination thereof as determined by the [advisory committee established in section 301.129] director, with the words "DON'T TREAD ON ME" [in place of the words "SHOW-ME STATE"] centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.”; and

Further amend said bill, Page 25, Section 302.173, Line 66, by inserting after the word “**revenue**” on said line the phrase “**and deposited into the state road fund**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 9** was adopted.

Representative Rowland offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 2, Section 136.055, Line 47, by inserting after all of said section and line the following:

“227.501. The portion of highway 5 between the city of Ava and the city of Mansfield shall be designated the "Missouri Fox Trotting Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid for by private donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cauthorn offered **House Amendment No. 1 to House Amendment No. 10.**

House Amendment No. 1

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 1, Line 7, by inserting after all of said line, the following:

‘Further amend said bill, Page 2, Section 136.055, Line 47, by inserting after all of said section and line, the following:

“227.511. A portion of Business Route 54 within the city limits of Mexico, in Audrain County, shall be designated the "Christopher S. 'Kit' Bond Highway". Costs for such designation shall be paid by private donation.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Rowland, **House Amendment No. 10, as amended**, was adopted.

Representative Elmer offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

“301.4038. Any person who has received a Navy Cross awarded under Section 6242 of Title 20 of the United States Code may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Navy Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "NAVY CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Navy Cross. There shall be an additional fee charged for each set of Navy Cross license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under

this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 11** was adopted.

Representative Conway (14) offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 17, Section 301.160, Line 6, by inserting after all of said section and line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number " (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be [displayed] **a plate or**, on each side of such motor vehicle, [in] letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. " (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (14), **House Amendment No. 12** was adopted.

Representative Nance offered **House Amendment No. 13**.

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 17, Section 301.160, Line 6, by inserting after all of said line the following:

“301.193. 1. Any person who purchases or is the owner of real property on which vehicles, as defined in section [301.011] **301.010**, vessels or watercraft, as defined in section 306.010, or outboard motors, as that term is used in section 306.530, have been abandoned, without the consent of said purchaser or owner of the real property, may apply to the department of revenue for a certificate of title. Any insurer which purchases a vehicle through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make an application to the department of revenue for a salvage certificate of title pursuant to this section. Prior to making application for a certificate of title on a vehicle under this section, the insurer or owner of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9 of section 301.190, and shall have law enforcement perform a check in the national crime information center and any appropriate statewide law enforcement computer to determine if the vehicle has been reported stolen and the name and address of the person to whom the vehicle was last titled and any lienholders of record. The insurer or owner or purchaser of the real estate shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle by certified mail that the owner intends to apply for a certificate of title from the director for the abandoned vehicle. The application for title shall be accompanied by:

(1) A statement explaining the circumstances by which the property came into the insurer, owner or purchaser's possession; a description of the property including the year, make, model, vehicle identification number and any decal or license plate that may be affixed to the vehicle; the current location of the property; and the retail value of the property;

(2) An inspection report of the property, if it is a vehicle, by a law enforcement agency pursuant to subsection 9 of section 301.190; and

(3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any person holding a valid security interest of record.

2. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the property described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. If the latest owner or lienholder was not notified the director shall inform the insurer, owner, or purchaser of the real estate of the latest owner and lienholder information so that notice may be given as required by subsection 1 of this section. Any owner or lienholder receiving notification may protest the issuance of title by, within the thirty-day notice period and may file a petition to recover the vehicle, naming the insurer or owner of the real estate and serving a copy of the petition on the director of revenue. The director shall not be a party to such petition but shall, upon receipt of the petition, suspend the processing of any further certificate of title until the rights of all parties to the vehicle are determined by the court. Once all requirements are satisfied the director shall issue one of the following:

(1) An original certificate of title if the vehicle examination certificate, as provided in section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

(2) An original certificate of title designated as prior salvage if the vehicle examination certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged condition or rebuilt;

(3) A salvage certificate of title designated with the words "salvage/abandoned property" or junking certificate based on the condition of the property as stated in the inspection report. An insurer purchasing a vehicle through the claims adjustment process under this section shall only be eligible to obtain a salvage certificate of title or junking certificate.

3. Any insurer which purchases a vehicle that is currently titled in Missouri through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make application to the department of revenue for a salvage certificate of title or junking certificate. Such application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least two written attempts to obtain the certificate of title, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and the fee prescribed in subsection 5 of section 301.190. The insurer shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle that the insurer intends to apply for a certificate of title from the director for the vehicle. Upon receipt of the application and supporting

documents, the director shall search the records of the department of revenue to verify the name and address of any owners and any lienholders. After thirty days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brown (50) offered **House Amendment No. 1 to House Amendment No. 13**.

House Amendment No. 1 to House Amendment No. 13 was withdrawn.

On motion of Representative Nance, **House Amendment No. 13** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Long	Marshall
McGhee	Nance	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Ellinger	Ellington	Fallert
Harris	Hodges	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCreery	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

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ABSENT WITH LEAVE: 034

Bernskoetter	Carter	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Curtman	Diehl	Entlicher
Funderburk	Grisamore	Higdon	Holsman	Hubbard
Hughes	Hummel	Leach	May	McCaherty
McCann Beatty	McManus	McNary	Meadows	Molendorp
Nasheed	Neth	Nolte	Riddle	Ruzicka
Scharnhorst	Spreng	Wyatt	Mr Speaker	

On motion of Representative Day, **HCS SCS SB 673, as amended**, was adopted.

On motion of Representative Day, **HCS SCS SB 673, as amended**, was read the third time and passed by the following vote:

AYES: 106

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 035

Carlson	Ellinger	Ellington	Franklin	Hodges
Hubbard	Jones 63	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 022

Bernskoetter	Carter	Colona	Conway 14	Conway 27
Curtman	Funderburk	Grisamore	Higdon	Holsman
Hughes	Hummel	Jones 117	May	McNary
Meadows	Molendorp	Nichols	Riddle	Scharnhorst
Spreng	Mr Speaker			

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 114

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCreery	McGhee	McNary
Molendorp	Nance	Neth	Newman	Nolte
Oxford	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 032

Asbury	Bahr	Brattin	Carlson	Colona
Ellinger	Ellington	Franklin	Hubbard	Jones 63
Koenig	Lampe	Marshall	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Pace
Pierson	Rizzo	Schieber	Schupp	Smith 71
Sommer	Spreng	Still	Swearingen	Talboy
Taylor	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Conway 27	Funderburk	Higdon	Holsman
Hughes	Hummel	May	McManus	Meadows
Nasheed	Nichols	Parkinson	Riddle	Scharnhorst
Torpey	Mr Speaker			

Representative Zerr assumed the Chair.

HCS SS SB 749, relating to religious beliefs and convictions, was taken up by Representative Crawford.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 7, Section 376.1199, Line 78, by inserting opening and closing brackets around the word “and”; and

Further amend said bill, section and page, Line 80, by inserting immediately after the second occurrence of the word “contraceptives” the following:

- “;
- (4) Whether an optional rider for elective abortions has been purchased by the group contract holder pursuant to section 376.805; and**
- (5) That an enrollee who is a member of a group health plan with coverage for elective abortions has the right to exclude and not pay for coverage for elective abortions if such coverage is contrary to his or her moral, ethical or religious beliefs. For purposes of this subsection, if new premiums are charged for a contract, plan or policy, it shall be determined to be a new contract, plan or policy”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Berry
Black	Brandom	Brattin	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Schad	Schatz	Schieffer	Schneider	Schoeller
Shively	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 039

Anders	Atkins	Aull	Brown 50	Carlson
Colona	Ellinger	Ellington	Holsman	Hubbard
Jones 63	Kander	Kelly 24	Kirkton	Lampe
May	McCann Beatty	McCreery	McDonald	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 023

Bernskoetter	Brown 85	Carter	Conway 27	Cross
Dieckhaus	Funderburk	Guernsey	Hinson	Hough
Hughes	Hummel	McGhee	McManus	Meadows
Pace	Riddle	Sater	Scharnhorst	Schieber
Shumake	Thomson	Mr Speaker		

Representative Cox offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 2, Section 191.724, Line 17, by inserting after all of said line the following:

"4. Whenever the attorney general has a reasonable cause to believe that any person or entity or group of persons or entities is being, has been, or is threatened to be, denied any of the rights granted by this section or other law that protects the religious beliefs or moral convictions of such persons or entities, and such denial raises an issue of general public importance, the attorney general may bring a civil action in any appropriate state or federal court. Such complaint shall set forth the facts and request such appropriate relief, including, but not limited to, an application for a permanent or temporary injunction, restraining order, mandamus, an order under the federal Administrative Procedure Act, Religious Freedom Restoration Act, or other federal law, an order under section 1.302 relating to free exercise of religion, or other order against the governmental entity, public official, or entity acting in a governmental capacity responsible for such denial or threatened denial of rights, as the attorney general deems necessary to ensure the full enjoyment of the rights granted by law. Nothing contained herein shall preclude a private cause of action against a governmental entity, public official, or entity acting in a governmental capacity by any person or entity or group of persons or entities aggrieved by a violation of this section or other law that protects the religious beliefs or moral convictions of such persons or entities, or be considered a limitation on any other remedy permitted by law. A court may order any appropriate relief, including recovery of damages, payment of reasonable attorney's fees, costs, and expenses."; and

Further amend said bill, Page 8, Section 338.255, Line 3, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to preserve the religious freedom and moral convictions of persons and entities who provide or obtain health plans or health care for themselves, their employees, patients or others, and because certain actions by the federal government threaten the obtaining or providing of such health plans and health care as of August 1, 2012, section 191.724 is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 191.724 shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 001

Quinn

ABSENT WITH LEAVE: 021

Barnes	Carter	Conway 27	Day	Dieckhaus
Ellinger	Elmer	Funderburk	Grisamore	Hughes
Hummel	Jones 117	McGhee	McManus	Meadows
Neth	Riddle	Scharnhorst	Webb	Wyatt
Mr Speaker				

On motion of Representative Cox, **House Amendment No. 2** was adopted by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGeoghegan	McNary	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 040

Anders	Atkins	Carlson	Colona	Conway 27
Ellinger	Ellington	Holsman	Hubbard	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 013

Carter	Day	Dieckhaus	Hughes	Hummel
McGhee	McManus	Meadows	Riddle	Scharnhorst
Webb	Wyatt	Mr Speaker		

Representative Brattin offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“191.334. 1. This section shall be known and may be cited as "Chloe's Law".

2. By January 1, 2013, the department of health and senior services shall expand the newborn screening requirements in section 191.331 to include critical congenital heart disease, using a test approved by the department, prior to discharge of the newborn from the health care facility.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

On motion of Representative Brattin, **House Amendment No. 3** was adopted by the following vote:

AYES: 139

Allen	Atkins	Aull	Bahr	Barnes
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Denison	Diehl	Dugger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Anders	Asbury	Bernskoetter	Carter	Cross
Day	Dieckhaus	Ellinger	Funderburk	Gatschenberger
Hughes	Hummel	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Riddle	Sater
Webb	Webber	Wyatt	Mr Speaker	

Representative Frederick offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) [Copying] **Search and retrieval**, in an amount not more than [twenty-one] **twenty-two** dollars and [thirty-six cents] **one cent** plus **copying in an amount of fifty two** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or

(b) [If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less] **The records shall be furnished electronically upon payment of the search, retrieval and copying fees set under this section at the time of the request or one hundred dollars total, whichever is less, if such person:**

a. Requests health records to be delivered electronically in a format of the health care provider's choice;
b. The health care provider stores such records completely in an electronic health record; and
c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The

department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 4** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 044

Atkins	Aull	Black	Carlson	Colona
Conway 27	Ellinger	Ellington	Fallert	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 006

Casey	Harris	Quinn	Schieffer	Shively
Swinger				

ABSENT WITH LEAVE: 011

Anders	Brown 50	Carter	Day	McManus
Meadows	Newman	Pollock	Richardson	Riddle
Webb				

On motion of Representative Crawford, **HCS SS SB 749, as amended**, was adopted.

On motion of Representative Crawford, **HCS SS SB 749, as amended**, was read the third time and passed by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hughes	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 037

Atkins	Carlson	Colona	Ellinger	Ellington
Holsman	Hubbard	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McCreery
McDonald	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 009

Anders	Brown 50	Carter	Day	Hummel
McManus	Meadows	Riddle	Webb	

Representative Zerr declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 043

Atkins	Aull	Brown 50	Carlson	Colona
Conway 27	Ellinger	Ellington	Holsman	Hubbard
Hughes	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Molendorp	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 009

Anders	Carter	Conway 14	Day	Hummel
McManus	Meadows	Riddle	Webb	

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1608**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 1659 & 1116**, entitled:

An act to repeal sections 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.480, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, RSMo, and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, and to enact in lieu thereof thirty-four new sections relating to land tax collection, with a penalty provision for a certain section.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1659 & 1116, Page 25, Section 141.980, Line 13 of said page, by inserting at the end of said line the following:

"Such land bank agency shall not be authorized to sell more than five contiguous parcels to the same entity in the course of a year."; and

Further amend said bill, Page 32, Section 141.985, Line 6, by inserting immediately after the word "agency." the following:

"This inventory shall be available on the land bank agency website and include at a minimum whether a parcel is available for sale, the address of the parcel if an address has been assigned, the parcel number, if no address has been assigned, and the year that a parcel entered the land bank agency's inventory"; and

Further amend said bill and section, Page 33, Line 29, by inserting after all of said line the following:

"If a municipality in its resolution or ordinance creating a land bank agency establishes priorities for the use of real property conveyed by the land bank agency, such priorities shall be consistent with and no more restrictive than municipal planning and zoning ordinances."; and

Further amend Lines 30-36, by striking all of said lines and inserting in lieu thereof the following:

"6. The board may delegate to officers and"; and

Further amend Lines 40-45, by striking all of said lines and inserting in lieu thereof the following:

"7. A land bank agency shall accept written offers equal to or greater than fair market value to purchase real property held by the land bank agency. If a land bank agency rejects a written offer equal to or greater than fair market value, or does not respond to a written offer equal to or greater than fair market value within sixty days, the land bank agency's action shall be subject to judicial review under chapter 536 or any other applicable provision of law unless the basis for the land bank agency's rejection is that it has accepted another offer equal to or greater than fair market value for that property. Venue shall be in the circuit court of the county in which the land bank agency is located."; and

Further amend said bill and section, Page 34, Line 92, by inserting after all of said line the following:

"10. If a land bank agency owns more than five parcels of real property in a single city block and no written offer to purchase any of those properties has been submitted to the agency in the past twelve months, the land bank shall reduce its requested price for those properties and advertise the discount publicly."

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1659 & 1116, Page 25, Section 141.980, Lines 8-10, by striking all of said lines from the bill and inserting in lieu thereof the following:

"status to use in private ownership. Such land bank agency shall be".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1820**, entitled:

An act to authorize the conveyance of certain state properties, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conferees on **HCS SCS SB 635, as amended**, are allowed to exceed the differences by correcting a reference to the date of the filing of the consent decree in *U.S.A. and State of Missouri v. Doe Run Resources Corporation*.

BILL IN CONFERENCE

HCS SCS SB 635, as amended, relating to financial transactions, was taken up by Representative Phillips.

Representative Phillips moved that the House conferees be allowed to exceed the differences on **HCS SCS SB 635, as amended**, by correcting a reference to the date of the filing of the consent decree in *U.S.A. and State of Missouri v. Doe Run Resources Corporation*.

Which motion was adopted.

On motion of Representative Jones (89), the House recessed until 3:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Silvey.

THIRD READING OF SENATE BILL

HCS SB 668, relating to taxation and property, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 668, Page 1, Title, Line 4, by deleting all of said line and inserting in lieu thereof the phrase “to local government.”; and

Further amend said bill, Page 20, Section 339.501, Line 36, by inserting after all of said section and line, the following:

“483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county [and of the city of St. Louis], who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided, however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law by the state to an elected circuit clerk in such county if such charter provision was not in effect. The sum shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. This subsection shall become effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue to hold such office for the remainder of their elected terms as if they had been appointed pursuant to the terms of this subsection.

5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerk in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 668, in the Title, Line 3, by deleting from said line the phrase:

“bills of certain counties”; and

Further amend said bill, Page 2, Section 64.930, Line 36, by inserting after all of said section and line the following:

“67.3000. 1. As used in this section and section 67.3005, the following words shall mean:

- (1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;**
- (2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;**
- (3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;**
- (4) "Department", the Missouri department of economic development;**
- (5) "Director", the director of revenue;**
- (6) "Eligible costs", shall include:**
 - (a) Costs necessary for conducting the sporting event;**
 - (b) Costs relating to the preparations necessary for the conduct of the sporting event; and**
 - (c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.**

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by

sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
- (2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and
- (3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Nolte offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting after all of said section and line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

- (1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; [and]
- (2) Grant county [sales tax] revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233;

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. [If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue] **In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy.**

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

- (1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;
- (2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and
- (3) It contains the following information:
 - (a) The legal description of the proposed district, including a map illustrating the district boundaries;
 - (b) The name of the proposed district;
 - (c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;
 - (d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;
 - (e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;
 - (f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;
 - (g) If the district is to be a political subdivision, the number of directors to serve on the board;
 - (h) The total assessed value of all real property within the proposed district;
 - (i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;
 - (j) The proposed length of time for the existence of the district;
 - (k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;
 - (l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

- (m) The limitations, if any, on the borrowing capacity of the district;
- (n) The limitations, if any, on the revenue generation of the district;
- (o) Other limitations, if any, on the powers of the district;
- (p) A request that the district be established; and
- (q) Any other items the petitioners deem appropriate; [and]

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner:

Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:.....

If owner is not an individual, state what type of entity:

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

.....

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

.....

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF)

Before me personally appeared, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this day of (month), (year).

.....

Notary Public

My Commission Expires: ; and

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a

return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of purpose) in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 3** was adopted.

Representative Flanigan offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 668, Page 5, Section 94.902, Line 100, by inserting after all of said section and line, the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the

existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) **"Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the President under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., provided that the municipality adopts an ordinance approving the redevelopment project within five years after the President declares such disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)] (6) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

[(6)] (7) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)] (8) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] (9) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] (11) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] (12) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use,

which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (13) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (14) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (15) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)] (16) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs **and, in the case of a redevelopment area that contains a disaster area, all or a portion of a taxing district's operating costs and its debt service costs** resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)] (17) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)] (19) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)] (20) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to

be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is:

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met; **or**

(b) **A blighted area in which a majority of the property is located within a disaster area;**

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible, **provided that, in the case of a redevelopment area that contains a disaster area, such information regarding financial feasibility may be provided by and attested to by the governing body of the municipality;**

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 **or** 15 of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.”; and

Further amend said bill, Page 13, Section 99.845, Line 290, by inserting after all of said line, the following:

“15. Beginning August 28, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, the following revenues may be available for appropriation by the general assembly as provided in subsection 21 of this section to the Missouri supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects:

(1) Up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect; and

(2) Any additional state revenues in excess of the amount in subdivision (1) of this subsection, to the extent requested by the department of economic development in accordance with subsection 23 of this section.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after August 28, 2012, appropriations from the state disaster recovery revenues and any additional state revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenues described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the

municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The incremental increase in state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas in which a majority of the property is located within disaster areas.

21. The initial appropriation of state disaster recovery revenues and any additional state revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues and any additional state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The estimate of additional state revenues being requested in excess of the amount of state disaster recovery revenues in one or more fiscal years in accordance with subsection 23 of this section;

(e) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(f) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(g) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(h) The estimated redevelopment project costs;

(i) The anticipated sources of funds to pay such redevelopment project costs;

(j) Evidence of the commitments to finance such redevelopment project costs;

(k) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(l) The anticipated type and terms of the obligations to be issued;

(m) The most recent equalized assessed valuation of the property within the redevelopment project area;

(n) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;

(o) The general land uses to apply in the redevelopment area;

(p) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;

(q) The total number of full-time equivalent positions in the redevelopment area;

(r) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;

(s) A list of other community and economic benefits to result from the redevelopment project;

(t) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;

(u) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(v) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(w) A market study for the redevelopment area;

(x) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;

(3) The appropriation may be made from one or more of the following sources, as approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;

(a) The estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area;

(b) The estimate of the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application; and

(c) Any additional amount requested by the department of economic development in accordance with subsection 23 of this section, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee.

(4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project and any additional state revenues shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues and any additional state revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year of additional state revenues from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 21 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;
- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include **the following**:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

- (8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include **the following**:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area and a separate entry for any additional state revenues received in accordance with subsection 23 of section 99.845;

- (9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

- (10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

- (11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

- (12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

- (13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects. Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating

all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting.”; and

Further amend said bill, Page 20, Section 339.501, Line 36, by inserting after all of said section and line, the following:

“Section B. Because immediate action is necessary to provide tax relief as the result of the recent natural disasters in this state, sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative White offered House Amendment No. 1 to House Amendment No. 4.

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 668, Page 5, Line 27, by inserting after all of said line the following:

“99.826. No project, plan, designation, or amendments thereto shall be approved under sections 99.800 to 99.865 as a result of a natural disaster unless such project, plan, designation, or amendments are placed before the qualified voters of all taxing entities that would be affected by the tax increment financing proposal and the question is approved by the voters voting thereon upon the next regularly scheduled municipal or general election.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative White moved that **House Amendment No. 1 to House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Flanigan, **House Amendment No. 4** was adopted.

Representative Gatschenberger offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 668, in the Title, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“to the regulation and taxation of property by political subdivisions.”; and

Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section and line the following:

“188.125. 1. It is the intent of the general assembly to acknowledge the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference, and that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect such rights.

2. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling, referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.

3. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

4. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to any other remedies permitted by law.

5. As used in this section, "alternatives-to-abortion agency" means:

- (1) A maternity home as defined in section 135.600;**
- (2) A pregnancy resource center as defined in section 135.630; or**
- (3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Diehl	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney

Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 015

Cauthorn	Curtman	Dieckhaus	Elmer	Frederick
Grisamore	Loehner	McDonald	Nasheed	Pollock
Riddle	Scharnhorst	Walton Gray	Webb	Mr Speaker

On motion of Representative Gatschenberger, **House Amendment No. 5** was adopted by the following vote:

AYES: 121

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rowland	Ruzicka

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Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 030

Atkins	Carlson	Carter	Colona	Ellington
Holsman	Hughes	Jones 63	Kirkton	Lampe
May	McCann Beatty	McCreery	McDonald	McNeil
Montecillo	Morgan	Newman	Oxford	Pace
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Dieckhaus	Frederick	Hummel	Kander
Korman	McManus	Pierson	Riddle	Schatz
Webb	Mr Speaker			

Representative Franz offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 668, Page 1, Section 52.225, Line 4, by inserting after all of said section and line, the following:

“57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service

for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section[; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence]. **The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars[, other than regular budget allocations or land sale proceeds,] **in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Swinger offered **House Amendment No. 1 to House Amendment No. 6.**

House Amendment No. 1
to
House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for Senate Bill No. 668, Page 2, Line 25, by inserting after all of said line the following:

‘Further amend said bill, Page 18, Section 143.115, Lines 12-13, by deleting all of said lines and inserting in lieu thereof the following:

“Publication 320 or its successor publication in effect at the time the storm shelter was completed, and in compliance with the International Code Council 500/National Storm Shelter Association standards with the National Storm Shelter Association seal of quality verification, serial number and Certificate of Installation provided with each storm shelter that is installed, and that is made in America;”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swinger, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Franz, **House Amendment No. 6, as amended**, was adopted.

Representative Hinson offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 668, Page 19, Section 143.115, Line 52, by inserting after all of said section and line, the following:

“321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to:

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public; [, or to]

(2) Fire protection districts located wholly within counties of the second, third or fourth [class or] classification;

(3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within [first class] counties **of the first classification** not adjoining any other [first class] county **of the first classification**; [, nor shall this section apply to]

(5) Fire protection districts located within any county of the first or second [class] classification not having more than nine hundred thousand inhabitants which borders any three [first class] counties **of the first classification**; [nor shall this section apply to]

(6) Fire protection districts located within any [first class] county **of the first classification** [without a charter form of government] which adjoins both a [first class] charter county [with a charter form of government] with at least nine hundred thousand inhabitants, and adjoins at least four other counties;

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.

321.130. **1.** A person, to be qualified to serve as a director, shall be a voter of the district at least one year before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

5. Any director who has been found guilty of or pled guilty to any felony offense shall immediately forfeit his or her office.

6. No person shall be qualified to serve as a director, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid or past due county taxes.”; and

Further amend said bill and page, Section 321.228, Line 27, by inserting after all of said section and line, the following:

“321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part**, as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the Fire Protection Districts and the Fire Protection District be consolidated into one fire protection district to be known as the Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund cents per one hundred dollars assessed valuation; ambulance service cents per one hundred dollars assessed valuation; pension fund cents per one hundred dollars assessed valuation; and dispatching fund cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 668, Page 4, Line 14, by inserting after all of said line the following:

‘Further amend said bill, Section 321.228, Page 19, Lines 22-27, by deleting all of said lines and inserting in lieu thereof the following:

“3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1 to House Amendment No. 7** was adopted.

Representative Korman offered **House Amendment No. 2 to House Amendment No. 7.**

House Amendment No. 2
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 668, Page 4, Line 14, by inserting after all of said line the following:

‘Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said line the following:

“144.059. 1. As used in this section, the term "'Made in USA' product" means any new product that supports a claim to be made in the United States under the policy on "Made in USA" claims enforced by the Federal Trade Commission, and that is not already exempt from state sales taxes under any provision of state law.

2. In each year beginning on or after January 1, 2013, but ending on or before December 31, 2014, there is hereby specifically exempted from state sales tax law all retail sales of any "Made in USA" product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a "Made in USA" product.

3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.

4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision's local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.

5. This section shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 2 to House Amendment No. 7** was adopted.

On motion of Representative Hinson, **House Amendment No. 7, as amended**, was adopted.

Representative Fuhr offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting immediately after said line the following:

“84.190. 1. The boards of police commissioners are hereby authorized to provide themselves with such office and office furniture, and such clerks and subordinates as they shall need; and to have and use a common seal. They may divide such cities into [not more than twelve nor less than nine] police districts, **in such number and with such boundaries as the boards deem appropriate** and provide in each of them, if necessary, a station house or houses, with all things and equipments required for the same, and all such other accommodations as may be required for the use of the police.

2. The boards, for all the purposes of sections 84.010 to 84.340, shall have the use of the fire alarm telegraph of such cities for police purposes, and all station houses, watch boxes, firearms, equipments, accoutrements and other accommodations and things provided by such cities, for the use and service of the police, as fully and to the same extent as the same are now used by or for any present police, or as fully and to the same extent as the same may be used by any police force in any of the cities to which sections 84.010 to 84.340 may hereafter apply; and the mayor and common council or municipal assembly, and all persons and municipal officers in charge thereof, are hereby ordered and required to allow such use accordingly. In case the mayor and common council or municipal assembly of any of such cities, or its officers or agents, refuse or neglect to allow such use, as and whenever the same shall be required by the boards created by sections 84.010 to 84.340, or refuse to set aside and appropriate the revenue necessary to carry out the provisions of sections 84.010 to 84.340, or place obstructions or hindrances in the way of the proper discharge of the powers of such boards, the boards may apply to the circuit courts of the judicial circuit in which such cities may be located, in the name of the state, for a mandamus to compel a compliance with the provisions of this section, and the application thereof shall be heard and decided by the court. One week's notice of the application shall be given, and the respondent or respondents shall have the right to answer within the week; and if testimony be needed on either side, the same shall be taken within ten days after the same is filed, or the week shall be expired. From the decision in the circuit court in the premises either party may appeal within ten days; and it shall be the duty of the clerk of such courts to send up the record immediately, and the appeal shall be heard immediately by the supreme court, if then in session, and if not in session, at the next term. In both courts the case shall be taken up and tried in preference to all others.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 8** was adopted.

Representative Talboy offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting after all of said section, the following:

- “67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:
- (1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;
 - (2) "County", any county or any city not within a county;
 - (3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;
 - (4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;
 - (5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**
 - (6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;
- [(6)] (7) "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;
- [(7)] (8) "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;
- [(8)] (9) "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district, **including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. 1. The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. **In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.**

3. The [tax] taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the [proposed] metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. 1. **For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712**, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of , state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall County join such other of (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to . . . County for local park improvements, all as authorized by the (insert name of governing body) of County pursuant to (insert ordinance number), on the . . . day of . . . (insert month), . . . (insert year)?

☐ YES

☐ NO

2. **For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712**, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall (insert county name) County join such other of (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to (insert county name) County for local and county park improvements as authorized by the (insert governing body name) of (insert county name) County under (insert ordinance number), on the (insert day) day of (insert month), (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?"

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and [sections] **subsection 1 of section 67.1715 and in section 67.1718.**

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769. **No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754;**

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district. **Any**

contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712;

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. 1. The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the

metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization.

67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

- (1) Later establishment or cessation of any park or recreation system provided by law; or
- (2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

- (1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;
- (2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;
- (3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;
- (4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;
- (5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

- (6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;
- (7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;
- (8) Establish and collect reasonable charges for the use of the facilities of the district;
- (9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and
- (10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of, state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to County and the cities within the County for local park improvements?

☐ YES

☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued.

Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042.”; and

Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section, the following:

“144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to [144.748]

144.746, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, [2013] **2023**.

182.802. 1. [A] (1) Any public library district located in any of the following counties may impose a tax as provided in this section:

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; [or]

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for the purpose of providing funding for library district?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district."; and

Further amend said bill, Page 20, Section 339.501, Line 36, by inserting after all of said section, the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot offered House Substitute Amendment No. 1 for House Amendment No. 9.

*House Substitute Amendment No. 1
for
House Amendment No. 9*

AMEND House Committee Substitute for Senate Bill No. 668, in the Title, Line 2, by inserting after the phrase "64.930," the phrase:

"67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill no. 1504,"; and

Further amend said bill, Section A, Line 1, by inserting after the phrase "Sections 64.930," the phrase:

"67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill no. 1504,"; and

Further amend said Section A, Line 3, by inserting after the phrase "Sections 64.930," the phrase:

"67.5012"; and

Further amend said bill, Page 2, Section 64.930, Line 36, by inserting after all of said section, the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:
(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;
(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)] (7) "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)] (8) "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)] (9) "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district, **including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The [tax] **taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the [proposed] metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712,** the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of, state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall County join such other of (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation,

subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to County for local park improvements, all as authorized by the (insert name of governing body) of County pursuant to (insert ordinance number), on the day of (insert month), (insert year)?

☐ YES

☐ NO

2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall (insert county name) County join such other of (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to (insert county name) County for local and county park improvements as authorized by the (insert governing body name) of (insert county name) County under (insert ordinance number), on the (insert day) day of (insert month), (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?."

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and [sections] **subsection 1 of section 67.1715 and in section 67.1718.**

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769. **No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754;**

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district. **Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712;**

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a

county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. **1.** The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative

under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization.

67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

- (1) Later establishment or cessation of any park or recreation system provided by law; or
- (2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

- (1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;
- (2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;
- (3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;
- (4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;
- (5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;
- (6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;
- (7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;
- (8) Establish and collect reasonable charges for the use of the facilities of the district;
- (9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and
- (10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of , state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to County and the cities within the County for local park improvements?

☐ YES

☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038. The question of whether to continue to impose the one-tenth of one cent local sales tax authorized under this section shall be submitted to the voters of the county every twelve years after the voters of that county approve the initial imposition of the tax.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for

the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the

staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing

the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042.”; and

Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section, the following:

“144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly

to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, [2013] 2023.

182.802. 1. [A] **(1) Any public library district located in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; [or]

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for the purpose of providing funding for library district?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend said bill, Section 339.501, Page 20, Line 36, by inserting after all of said line the following:

“[67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.]

Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Scharnhorst offered House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 9.

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 9*

AMEND House Substitute Amendment No. 1 for House Amendment No. 9 to House Committee Substitute for Senate Bill No. 668, Page 14, Line 25, by inserting after all of said line the following:

‘Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section and line, the following:

“144.055. 1. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, supplies, parts and materials used or consumed in testing, installing, calibrating, maintaining, repairing, or restoring any machinery or equipment that is exempted from sales and use taxes in accordance with section 144.054.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, supplies, parts and materials used or consumed in the manufacturing, processing, preparing, furnishing, compounding, or producing of food, or used in research and development related to manufacturing, processing, preparing, furnishing, compounding or producing food. For the purposes of this subsection, the term "processing" shall mean any mode of treatment, act, or series of acts performed upon materials or food products to transform or reduce them to a different state, thing or product, including treatment necessary to maintain or preserve such processing by the producer at the location at which the food product is produced.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 9** was adopted.

On motion of Representative Cierpiot, **House Substitute Amendment No. 1 for House Amendment No. 9, as amended**, was adopted.

Representative Weter offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 668, Page 19, Section 143.115, Line 52, by inserting after all of said section and line the following:

“190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants** that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. **Except as provided in subdivision (4) of this subsection**, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 10** was adopted.

Representative Holsman offered **House Amendment No. 11**.

AMEND House Committee Substitute for Senate Bill No. 668, Page 19, Section 143.115, Line 52, by inserting after all of said line the following:

"262.900. 1. As used in this section, the following terms mean:

- (1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed state, that has been produced, processed, or otherwise had value added to it in this state;**
- (2) "Blighted area", that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;**
- (3) "Department", department of agriculture;**
- (4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;**
- (5) "Grower UAZ", a type of UAZ:**
 - (a) That can either grow produce, raise livestock, or produce other value-added agricultural products;**
 - (b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty domesticated animals; and**
 - (c) Is a qualifying small business that is approved by the department;**
- (6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;**
- (7) "Locally grown", a product that was grown or raised in the same county or city not within a county in which the UAZ is located or in an adjoining county or city not within a county. For a product raised or sold in a city not within a county, locally grown also includes an adjoining county with a charter form of government with more than nine hundred fifty thousand and those counties adjoining said county;**
- (8) "Processing UAZ", a type of UAZ:**
 - (a) That processes livestock or poultry for human consumption;**
 - (b) That meets federal and state processing laws and standards; and**
 - (c) Is a qualifying small business approved by the department;**
- (9) "Meat", any edible portion of a livestock or poultry carcass or part thereof;**
- (10) "Meat product", anything containing meat intended for or capable of use for human consumption, which is derived, in whole or in part, from livestock or poultry;**
- (11) "Poultry", any domesticated bird intended for human consumption;**
- (12) "Qualifying small business", those enterprises which are established within an urban agricultural zone subsequent to its creation, and which meet the definition established for the small business administration and set forth in Section 121.301 of Part 121 of Title 13 of the Code of Federal Regulations;**
- (13) "Value-added agricultural products", any product or products that are the result of:**
 - (a) Using an agricultural product grown in this state to produce a meat or dairy product in this state;**
 - (b) A change in the physical state or form of the original agricultural product;**
 - (c) An agricultural product grown in this state which has had its value enhanced by special production methods such as organically grown products; or**
 - (d) A physical segregation of a commodity or agricultural product grown in this state that enhances its value such as identity preserved marketing systems;**
- (14) "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical area as defined by the United States Office of Budget and Management that has one or more of the following entities that is a qualifying small businesses, and approved by the department, as follows:**
 - (a) Any organization or person who grows produce or other agricultural products;**
 - (b) Any organization or person who raises livestock or poultry;**
 - (c) Any organization or person who processes livestock or poultry; or**
 - (d) Any organization that sells at a minimum seventy-five percent locally grown food;**

(15) "Vending UAZ", a type of UAZ:

(a) That sells produce, meat, or locally grown value-added agricultural products;

(b) That is able to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program as a form of payment; and

(c) Is a qualifying small business that is approved by the department for an UAZ vendor license.

2. (1) A person or organization shall submit to any incorporated municipality an application to develop an UAZ on a blighted area of land. Such application shall demonstrate or identify on the application:

(a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or a combination of all three types of UAZs provided in this paragraph, in which case the person or organization shall meet the requirements of each type of UAZ in order to qualify;

(b) The number of jobs to be created;

(c) The types of products to be produced; and

(d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program if selling products to consumers.

(2) A municipality shall review and modify the application as necessary before either approving or denying the request to establish an UAZ.

(3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the development of the UAZ. After twenty-five years, the UAZ shall dissolve. If the municipality finds during its review that the UAZ is not meeting the requirements set out in this section, the municipality may dissolve the UAZ.

3. The governing authority of any municipality planning to seek designation of an urban agricultural zone shall establish an urban agricultural zone board. The number of members on the board shall be seven. One member of the board shall be appointed by the school district or districts located within the area proposed for designation as an enhanced enterprise zone. Two members of the board shall be appointed by other affected taxing districts. The remaining four members shall be chosen by the chief elected official of the municipality. The four members chosen by the chief elected officer of the municipality shall each be residents of the county or city not within a county in which the UAZ is to be located, and at least one of such four members shall have experience in or represent organizations associated with sustainable agriculture, urban farming, community gardening, or any of the activities or products authorized by this section for UAZs.

4. The school district member and the two affected taxing district members shall each have initial terms of five years. Of the four members appointed by the chief elected official, two shall have initial terms of four years, and two shall have initial terms of three years. Thereafter, members shall serve terms of five years. Each commissioner shall hold office until a successor has been appointed. All vacancies shall be filled in the same manner as the original appointment. For inefficiency or neglect of duty or misconduct in office, a member of the board may be removed by the applicable appointing authority.

5. A majority of the members shall constitute a quorum of such board for the purpose of conducting business and exercising the powers of the board and for all other purposes. Action may be taken by the board upon a vote of a majority of the members present.

6. The members of the board annually shall elect a chair from among the members.

7. The role of the board shall be to conduct the activities necessary to advise the governing authority on the designation of an urban agricultural zone and any other advisory duties as determined by the governing authority. The role of the board after the designation of an urban agricultural zone shall be review and assessment of zone activities.

8. Prior to the adoption of an ordinance proposing the designation of an urban agricultural zone, the urban agricultural board shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed urban agricultural zone. The board shall send, by certified mail, a notice of such hearing to all taxing districts and political subdivisions in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the designation at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing. At the public hearing any interested person or affected taxing district may file with the board written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The board shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing.

9. Following the conclusion of the public hearing required under subsection 8 of this section, the governing authority of the municipality may adopt an ordinance designating an urban agricultural zone.

10. The real property of the UAZ shall not be subject to assessment or payment of ad valorem taxes on real property imposed by the cities affected by this section, or by the state or any political subdivision thereof, for a period of up to twenty-five years as specified by ordinance under subsection 9 of this section, except to such extent and in such amount as may be imposed upon such real property during such period, as was determined by the assessor of the county in which such real property is located, or, if not located within a county, then by the assessor of such city, in an amount not greater than the amount of taxes due and payable thereon during the calendar year preceding the calendar year during which the urban agricultural zone was designated. The amounts of such tax assessments shall not be increased during such period so long as the real property is used in furtherance of the activities provided under the provisions of subdivision (13) of subsection 1 of this section. At the conclusion of the period of abatement provided by the ordinance, the property shall then be reassessed. If only a portion of real property is used as an UAZ, then only that portion of real property shall be exempt from assessment or payment of ad valorem taxes on such property, as provided by this section.

11. If the water services for the UAZ are provided by the municipality, the municipality may authorize a grower UAZ to pay wholesale water rates, if available, for the cost of water consumed on the UAZ and pay fifty percent of the standard cost to hook onto the water source.

12. (1) Any local sales tax revenues received from the sale of agricultural products sold in the UAZ shall be deposited in the urban agricultural zone fund established in subdivision (2) of this subsection. An amount equal to one percent shall be retained by the director of revenue for deposit in the general revenue fund to offset the costs of collection.

(2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund", which shall consist of money collected under subdivision (1) of this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, shall be used for the purposes authorized by this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. School districts may apply to the department for money in the fund to be used for the development of curriculum on or the implementation of urban farming practices under the guidance of the University of Missouri extension service and a certified vocational agricultural instructor. The funds are to be distributed on a competitive basis within the school district or districts in which the UAZ is located under rules to be promulgated by the department, with special consideration given to the relative number of students eligible for free and reduced-price lunches attending the schools within such district or districts.

13. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated under this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 11** was adopted.

Representative Johnson offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 668, Page 20, Section 339.501, Line 36, by inserting after the phrase "**chapter 138**" on said line the following:

"; or

(7) Any person employed by the property owner or agent of the property owner to create, design, or maintain a website or multiple websites that advertise real estate for sale on the internet"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 12** was adopted.

Representative Largent offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 668, Pages 19-20, Section 339.501, by striking all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Largent, **House Amendment No. 13** was adopted.

Representative Talboy offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 668, Page 20, Section 339.501, Line 36, by inserting after all of said section and line the following:

“610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.

As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records, data, and reports that are in the possession of a business entity formed under section 537.620, and used by such business entity in the calculation of rates or assessments, or in adjusting claims;

(17) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

[(17)] **18.** Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

[(18)] **19.** Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, [2012]**2016**;

[(19)] **20.** Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(d) This exception shall sunset on December 31, [2012]**2016**;

[(20)] **21.** Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

[(21)] **22.** Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body

or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

[(22)] **23.** Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 14** was adopted.

Representative Franz offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting after all of said section and line, the following:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, [in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants,] the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. [In said counties, each] **Any** special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 15** was adopted.

Representative Klippenstein moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Carter	Cookson	Day	Dieckhaus
Frederick	Nasheed	Riddle	Schad	Schneider
Stream	Webb			

On motion of Representative Diehl, **HCS SB 668, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 668, as amended**, was read the third time and passed by the following vote:

AYES: 087

Allen	Barnes	Bernskoetter	Black	Brandom
Brown 85	Brown 116	Cauthorn	Cierpiot	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Korman	Lair	Lant	Largent
Lauer	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Wells	Weter	Wright
Wyatt	Zerr			

NOES: 067

Anders	Asbury	Atkins	Aull	Bahr
Berry	Brattin	Brown 50	Burlison	Carlson
Casey	Colona	Conway 14	Conway 27	Ellinger
Ellington	Fallert	Gatschenberger	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Koenig	Kratky	Lampe
Lasater	Leach	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Parkinson	Pierson
Quinn	Rizzo	Schieber	Schieffer	Schupp
Shively	Sifton	Smith 71	Sommer	Spreng
Still	Swinger	Taylor	Walton Gray	Webber
White	Wieland			

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PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 008

Carter	Dieckhaus	Hampton	Nasheed	Riddle
Schneider	Webb	Mr Speaker		

Representative Silvey declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 088

Allen	Aull	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Cauthorn	Cierpiot
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hinson
Holsman	Hoskins	Hough	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Lair	Lampe	Lant	Largent
Lauer	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Nance	Neth	Nolte
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
Wright	Zerr	Mr Speaker		

NOES: 060

Anders	Asbury	Atkins	Bahr	Barnes
Brown 50	Burlison	Carlson	Casey	Colona
Conway 14	Conway 27	Curtman	Ellinger	Ellington
Fallert	Gosen	Harris	Hodges	Houghton
Hummel	Jones 63	Kirkton	Koenig	Korman
Kratky	Lasater	Leach	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Parkinson
Pierson	Rizzo	Schieber	Schieffer	Schupp
Smith 71	Sommer	Spreng	Still	Swearingen
Taylor	Walton Gray	White	Wieland	Wyatt

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 014

Brattin	Carter	Frederick	Hampton	Higdon
Hubbard	Hughes	Nasheed	Riddle	Schatz
Schneider	Talboy	Webb	Webber	

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 and 1878, as amended**, and request the House take up and pass **SS SCS HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 and 1878, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SCS SB 480, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 673, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

THIRD READING OF SENATE BILLS

HCS SB 760, relating to outdoor resources, was taken up by Representative Ruzicka.

Representative Ruzicka offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 760, Page 5, Section 60.540, Line 4, by deleting the word “**surveyor**” and inserting in lieu thereof the word “**survey**”; and

Further amend said bill, Pages 26-27, Section 571.020, by deleting all of said section from the bill; and

Further amend said bill, Page 29, Section 571.030, Line 73, by inserting immediately following the words “**eighteen years of age**” the words “**or older**”; and

Further amend said bill, Page 32, Section 571.101, Line 19, by inserting immediately following the words “**eighteen years of age**” the words “**or older**”; and

Further amend said bill and section, Page 33, Line 62, by inserting immediately following the words “**years of age**” the words “**or older**”; and

Further amend said bill, Page 39, Section 571.117, Line 32, by inserting immediately following the words “**eighteen years of age**” the words “**or older**”; and

Further amend said bill, Page 44, Section 640.100, Line 106, by inserting after all of said section and line the following:

“643.225. 1. The provisions of sections 643.225 to 643.250 shall apply to all projects subject to 40 CFR Part 61, Subpart M as adopted by 10 CSR 10-6.080. The commission shall promulgate rules and regulations it deems

necessary to implement and administer the provisions of sections 643.225 to 643.250, including requirements, procedures and standards relating to asbestos projects, as well as the authority to require corrective measures to be taken in asbestos abatement, renovation, or demolition projects as are deemed necessary to protect public health and the environment. The director shall establish any examinations for certification required by this section and shall hold such examinations at times and places as determined by the director.

2. Except as otherwise provided in sections 643.225 to 643.250, no individual shall engage in an asbestos abatement project, inspection, management plan, abatement project design or asbestos air sampling unless the person has been issued a certificate by the director, or by the commission after appeal, for that purpose.

3. In any application made to the director to obtain such certification as an inspector, management planner, abatement project designer, supervisor, contractor or worker from the department, the applicant shall include his diploma providing proof of successful completion of either a state accredited or United States Environmental Protection Agency (EPA) accredited training course as described in section 643.228. In addition, an applicant for certification as a management planner shall first be certified as an inspector. All applicants for certification as an inspector, management planner, abatement project designer, supervisor, contractor or worker shall successfully pass a state examination on Missouri state asbestos statutes and rules relating to asbestos. Certification issued hereunder shall expire one year from its effective date. Individuals applying for state certification as an asbestos air sampling professional shall have the following credentials:

- (1) A bachelor of science degree in industrial hygiene plus one year of experience in the field; or
- (2) A master of science degree in industrial hygiene; or
- (3) Certification as an industrial hygienist as designated by the American Board of Industrial Hygiene; or
- (4) Three years of practical experience in the field of industrial hygiene, including significant asbestos air monitoring experience and the completion of a forty-hour asbestos course which includes air monitoring instruction (National Institute of Occupational Safety and Health 582 course on air sampling or equivalent). In addition to these qualifications, the individual must also pass the state of Missouri asbestos examination. All asbestos air sampling technicians shall be trained and overseen by an asbestos air sampling professional and shall meet the requirements of training found in OSHA's 29 CFR 1926.1101. Certification under this section as an abatement project designer does not qualify an individual as an architect, engineer or land surveyor, as defined in chapter 327.

4. An application fee of seventy-five dollars shall be assessed for each category, except asbestos abatement worker, to cover administrative costs incurred. An application fee of twenty-five dollars shall be assessed for each asbestos abatement worker to cover administrative costs incurred. A fee of twenty-five dollars shall be assessed per state examination.

5. In order to qualify for renewal of a certificate, an individual shall have successfully completed an annual refresher course from a state of Missouri accredited training program. For each discipline, the refresher course shall review and discuss current federal and state statute and rule developments, state-of-the-art procedures and key aspects of the initial training course, as determined by the state of Missouri. For all categories except inspectors, individuals shall complete a one-day annual refresher training course for recertification. Refresher courses for inspectors shall be at least a half-day in length. Management planners shall attend the inspector refresher course, plus an additional half-day on management planning. All refresher courses shall require an individual to successfully pass an examination upon completion of the course. In the case of significant changes in Missouri state asbestos statutes or rules, an individual shall also be required to take and successfully pass an updated Missouri state asbestos examination. An individual who has failed the Missouri state asbestos examination may retake it on the next scheduled examination date. If an individual has not successfully completed the annual refresher course within twelve months of the expiration of his or her certification, the individual shall be required to retake the course in his or her specialty area as described in this section. Failure to comply with the requirements for renewal of certification in this section will result in decertification. In no event shall certification or recertification constitute permission to violate sections 643.225 to 643.250 or any standard or rule promulgated under sections 643.225 to 643.250.

6. A fee of five dollars shall be paid to the state for renewal of certificates to cover administrative costs.

7. The provisions of subsections 2 to 6 of this section, section 643.228, subdivision (4) of subsection 1 of section 643.230, sections 643.232 and 643.235, subdivisions (1) to (3) of subsection 1 of section 643.237, and subsection 2 of section 643.237 shall not apply to a person that is subject to requirements and applicable standards of the United States Environmental Protection Agency (EPA) and the United States Occupational Safety and Health Administration's (OSHA) 29 Code of Federal Regulations 1926.58 and which engages in asbestos abatement projects as part of normal operations in the facility solely at its own place or places of business. A person shall receive an exemption upon submitting to the director, on a form provided by the department, documentation of the training provided to its employees to meet the requirements of applicable OSHA and EPA rules and regulations and the type of asbestos abatement projects which constitute normal operations performed

by the applicant. If the application does not meet the requirements of this subsection and the rules and regulations promulgated by the department, the applicant shall be notified, within one hundred eighty days of the receipt of the application, that the exemption has been denied. An applicant may appeal the denial of an exemption to the commission within thirty days of the notice of denial. This exemption shall not apply to asbestos abatement contractors, to those persons who the commission by rule determines provide a service to the public in its place or places of business as the economic foundation of the facility, or to those persons subject to the requirements of the federal Asbestos Hazard Emergency Response Act of 1986 (P.L. 99-519). A representative of the department shall be permitted to attend, monitor, and evaluate any training program provided by the exempted person. Such evaluations may be conducted without prior notice. Refusal to allow such an evaluation is sufficient grounds for loss of exemption status.

8. A fee of two hundred fifty dollars shall be submitted with the application for exemption under subsection 7 of this section. This shall be a one-time fee. An exempted person shall submit to the director changes in curricula or other significant revisions to its training program under this section as they occur.

9. All applications for exemption under this section that are received and approved by the department prior to August 28, 2012, shall be considered valid. An exempted person under this subsection shall not be subject to the fee under subsection 8 of this section but shall submit to the director changes in curricula or other significant revisions to its training program as they occur.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 760, Page 24, Section 393.1003, Line 25, by inserting after all of said line the following:

"488.650. There shall be assessed as costs a surcharge in the amount of one hundred dollars on all petitions for expungement filed under the provisions of section 610.140. Such surcharge shall be collected and disbursed by the clerk of the court as provided by sections 488.010 to 488.020. Moneys collected from this surcharge shall be payable to the general revenue fund."; and

Further amend said bill, Page 24, Section 393.1003, Line 25, by inserting after all of said line the following:

"561.026. Notwithstanding any other provision of law except for section 610.140, a person who is convicted:
(1) Of any crime shall be disqualified from registering and voting in any election under the laws of this state while confined under a sentence of imprisonment;
(2) Of a felony or misdemeanor connected with the exercise of the right of suffrage shall be forever disqualified from registering and voting;
(3) Of any felony shall be forever disqualified from serving as a juror."; and

Further amend said bill, Page 41, Section 577.073, Line 16, by inserting immediately after said line the following:

"610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person was found guilty of any of the offenses specified in subsection 2 of this section for an order to expunge recordations of such arrest, plea, trial, or conviction. A person may apply to have one or more offenses expunged so long as such person lists all the offenses he or she is seeking to have expunged in the same petition and so long as all such offenses are eligible under subsection 2 of this section. No person, however, who has been issued a commercial driver's license or is required to possess a commercial driver's license issued by this state or any other state may have any offenses expunged under this section.

2. The following offenses that occurred within the state of Missouri, and were prosecuted under the jurisdiction of a Missouri municipal court or associate or circuit court, are eligible to be expunged:

(1) Any felony offense of passing a bad check under 570.120, fraudulently stopping payment of an instrument under 570.125, or fraudulent use of a credit device or debit device;

(2) Any misdemeanor offense, except any offense of chapter 565, 566, 568, or 573, any other offense that requires registration under sections 589.400 to 589.425, or any alcohol-related driving offense; and

(3) Any municipal offense or infraction, except any alcohol-related driving offense.

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall be dismissed if it does not include the following information:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Driver's license number, if applicable; and

(e) Current address;

(2) Each offense charged against the petitioner for which the petitioner is requesting expungement;

(3) The date the petitioner was arrested for each offense;

(4) The name of the county where the petitioner was arrested for each offense and if any of the offenses occurred in a municipality, the name of the municipality for each offense;

(5) The name of the agency that arrested the petitioner for each offense;

(6) The case number and name of the court for each offense; and

(7) Petitioner's fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner.

5. The court shall set a hearing on the matter no sooner than thirty days from the filing of the petition and shall give reasonable notice of the hearing to each entity named in the petition. At the hearing, the court may accept evidence and hear testimony on, and shall consider, the following criteria for each of the offenses listed in the petition for expungement:

(1) It has been at least twenty years if the offense is a felony, or at least ten years if the offense is a misdemeanor, municipal offense, or infraction, since the person making the application completed:

(a) Any sentence of imprisonment; or

(b) Any period of probation or parole;

(2) The person has not been found guilty of a misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, during the time period specified for the underlying offense in subdivision (1) of this subsection;

(3) The person has paid any amount of restitution ordered by the court;

(4) The circumstances and behavior of the petitioner warrant the expungement; and

(5) The expungement is consistent with the public welfare.

6. If the court determines at the conclusion of the hearing that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses listed in the petition for expungement, the court shall enter an order of expungement. A copy of the order shall be provided to each entity named in the petition, and, upon receipt of the order, each entity must destroy any record in its possession relating to any offense listed in the petition. If destruction of the record is not feasible because of the permanent nature of the record books, such record entries shall be blacked out. Entries of a record ordered expunged shall be removed from all electronic files maintained with the state of Missouri, except for the files of the court. The records and files maintained in any administrative or court proceeding in a municipal court, an associate circuit or circuit court division of the circuit court for any offense ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

7. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. Except as otherwise provided under this section, the effect of such order shall be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such

arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense to any court when asked or upon being charged with any subsequent offense. The expunged offense may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

8. Notwithstanding the provisions of subsection 7 of this section to the contrary, a person granted an expungement shall disclose all expunged offenses on any application for:

- (1) A license, certificate, or permit issued by this state to practice such individual's profession;
- (2) Any license issued under chapter 313; or
- (3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency.

Such person shall also disclose any expunged felony offenses when filing as a candidate for election to any public office. Notwithstanding any provision of law to the contrary, an expunged offense shall not be grounds for automatic disqualification of a candidate or applicant, but may be a factor for denying employment, or a professional license, certificate, or permit.

9. If the court determines that such person has not met the criteria for any of the offenses listed in the petition for expungement, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

10. The Missouri supreme court shall promulgate rules establishing procedures for the handling of cases filed under the provisions of this section. Such procedures shall be similar to the procedures established in chapter 482 for the handling of small claims.

11. A person may be granted more than one expungement under this section provided that no person shall be granted more than one order of expungement from the same court. Nothing contained in this section shall prevent the court from maintaining records to ensure that an individual has only one petition for expungement granted by such court under this section.

12. All rights under the Second Amendment of the United States Constitution and enjoyment of outdoor resources shall be restored to any petitioner who is granted expungement under this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted by the following vote:

AYES: 120

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Kander	Keeney
Kelley 126	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Richardson
Rowland	Ruzicka	Sater	Scharnhorst	Schatz

Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 029

Atkins	Carlson	Carter	Ellington	Holsman
Jones 63	Kelly 24	Kirkton	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Still
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 014

Cross	Day	Diehl	Gosen	Hughes
Jones 117	Klippenstein	May	Nasheed	Reiboldt
Riddle	Schad	Swearingen	Webb	

Representative Pollock offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 760, Page 41, Section 577.073, Lines 9-12, by inserting after all of said section and line the following:

“the department of natural resources; except that, the provisions of this subsection shall not apply to the normal and customary use of public roads by commercial and noncommercial organizations for the purpose of transporting persons or vehicles, including but not limited to canoes as defined in section 537.327.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 3** was adopted.

Representative Solon offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 760, Page 9, Section 60.620, Line 51, by inserting after all of said line the following:

“67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the

improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county [of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants], the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or, **if applicable to that county, chapter 141, or**, [by judicial foreclosure proceeding,] at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 4** was adopted.

Representative Cauthorn offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 760, Page 41, Section 577.073, Line 16, by inserting after all of said section and line the following:

“621.250. 1. All authority to hear appeals granted in chapters 260, 444, 640, 643, and 644, and to the hazardous waste management commission in chapter 260, the land reclamation commission in chapter 444, the safe drinking water commission in chapter 640, the air conservation commission in chapter 643, and the clean water commission in chapter 644 shall be transferred to the administrative hearing commission under this chapter. The authority to render final decisions after hearing on appeals heard by the administrative hearing commission shall remain with the commissions listed in this subsection. The administrative hearing commission may render a recommended final decision after hearing or through stipulation, consent order, agreed settlement or by disposition in the nature of default judgment, judgment on the pleadings, or summary determination, consistent with the requirements of this subsection and the rules and procedures of the administrative hearing commission.

2. Except as otherwise provided by law, any person or entity who is a party to, or who is aggrieved or adversely affected by, any finding, order, decision, or assessment for which the authority to hear appeals was transferred to the administrative hearing commission in subsection 1 of this section may file a notice of appeal with the administrative hearing commission within thirty days after any such finding, order, decision, or assessment is placed in the United States mail or within thirty days of any such finding, order, decision, or assessment being delivered, whichever is earlier. Within [sixty] **ninety** days after the date on which the notice of appeal is filed the administrative hearing commission [shall] **may** hold hearings and **within one hundred twenty days after the date on which the notice of appeal is filed shall** make a recommended decision based on those hearings or shall make a recommended decision based on stipulation of the parties, consent order, agreed settlement or by disposition in the nature of default judgment, judgment on the pleadings, or summary determination, in accordance with the requirements of this subsection and the rules and procedures of the administrative hearing commission; **provided, however, that the dates by which the administrative hearing commission is required to hold hearings and make a recommended decision may be extended at the sole discretion of the permittee as either petitioner or intervenor in the appeal.**

3. Any decision by the director of the department of natural resources that may be appealed as provided in subsection 1 of this section shall contain a notice of the right of appeal in substantially the following language: "If you were adversely affected by this decision, you may appeal to have the matter heard by the administrative hearing commission. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission.". Within fifteen days after the administrative hearing commission renders its recommended decision, it shall transmit the record and a transcript of the proceedings, together with the administrative hearing commission's recommended decision to the commission having authority to issue a final decision. The final decision of the commission shall be issued within [ninety] **one hundred eighty** days of the date the notice of appeal in subsection 2 of this section is filed and shall be based only on the facts and evidence in the hearing record; **provided, however, that the date by which the commission is required to issue a final decision may be extended at the sole discretion of the permittee as either petitioner or intervenor in the appeal.** The commission may adopt the recommended decision as its final decision. The commission may change a finding of fact or conclusion of law made by the administrative hearing commission, or may vacate or modify the recommended decision issued by the administrative hearing commission, only if the commission states in writing the specific reason for a change made under this subsection.

4. In the event the person filing the appeal prevails in any dispute under this section, interest shall be allowed upon any amount found to have been wrongfully collected or erroneously paid at the rate established by the director of the department of revenue under section 32.065.

5. Appropriations shall be made from the respective funds of the various commissions to cover the administrative hearing commission's costs associated with these appeals.

6. In all matters heard by the administrative hearing commission under this section, the burden of proof shall comply with section 640.012. The hearings shall be conducted by the administrative hearing commission in accordance with the provisions of chapter 536 and its regulations promulgated thereunder.

7. No cause of action or appeal arising out of any finding, order, decision, or assessment of any of the commissions listed in subsection 1 of this section shall accrue in any court unless the party seeking to file such cause of action or appeal shall have filed a notice of appeal and received a final decision in accordance with the provisions of this section.

640.018. 1. In any case where the department has not issued a permit or rendered a permit decision by the expiration of a statutorily required time frame for any application for a permit under this chapter or chapters 260, 278, 319, 444, 643, or 644, **upon request of the permit applicant the department shall issue** the permit [shall be issued as of] the first day following the expiration of the required time frame, provided all necessary information has been submitted for the application and the department has been in possession of all such information for the duration of the required time frame. This subsection shall be considered in addition to, and not in lieu thereof, any other provision of law regarding consequences of failure by the department to issue a permit or permit decision by the expiration of a required time frame.

2. If engineering plans, specifications, and designs prepared by a registered professional engineer are submitted to the department of natural resources as a part of a permit application or permit modification, the permit application or permit modification shall include a statement that the plans, specifications, and designs were prepared in accordance with the applicable requirements and shall be sealed by the registered professional engineer in accordance with section 327.411, as applicable. The department shall use the complete, sealed engineering plans, specifications, and designs

as submitted in addition to permit applications and other relevant information, documents, and materials in developing comments on the engineering submittals and in determining whether to issue or deny permits. The review of documents, plans, specifications, and designs sealed by a registered professional engineer for an applicant shall be conducted by a registered professional engineer or an engineering intern on behalf of the department.

3. The department shall designate supervisory registered professional engineers for permitting purposes under this chapter and chapters 260, 278, 319, 444, 643, and 644. Any permit applicant receiving written comments on an engineering submittal may request a determination from the department's supervisory registered professional engineer as to a final disposition of the department's comments regarding engineering submittals in determining a decision on the permit. The department's supervisory engineer shall inform the permit applicant of a preliminary decision within fifteen days after the permit applicant's request for a determination and shall make a final determination within thirty days of such request.

4. Nothing in this section shall be construed to require plans or other submittals to the department pursuant to an application to come under a general permit or an application for a site-specific permit to be prepared by a registered professional engineer, unless otherwise required under state or federal law.”; and

Further amend said bill, Page 44, Section 640.100, Line 106, by inserting after all of said section and line the following:

“643.130. All final orders or determinations of the commission or the director hereunder shall be subject to judicial review pursuant to the provisions of sections 536.100 to 536.140, except that, the provisions of section 536.110 notwithstanding, all actions seeking judicial review of any final determination of the commission or the director **relating to part 70 operating permits and construction permits or permit applications filed under or related to the prevention of significant deterioration, major nonattainment area source, or major new source review programs** shall be filed in the court of appeals instead of in the circuit court. No judicial review shall be available hereunder, however, unless and until all administrative remedies are exhausted.”; and

Further amend said bill, Page 48, Section 644.026, Line 134, by inserting after all of said section and line the following:

“644.071. 1. All final orders or determinations of the commission or the director made pursuant to the provisions of sections 644.006 to 644.141 are subject to judicial review pursuant to the provisions of chapter 536, except that, the provisions of section 536.110 notwithstanding, all actions seeking judicial review of any final order or determination of the commission or the director **that relates to permits affecting a utility** shall be filed in the court of appeals instead of in the circuit court. No judicial review shall be available, however, unless and until all administrative remedies are exhausted.

2. In any suit filed pursuant to section 536.050 concerning the validity of the commission's standards, rules and regulations, the court shall review the record made before the commission to determine the validity and reasonableness of such standards, rules, limitations, and regulations and may hear such additional evidence as it deems necessary.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Redmon offered House Amendment No. 1 to House Amendment No. 5.

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 760, Page 4, Line 5, by inserting after all of said line, the following:

“Further amend said bill, Page 32, Section 571.101, Line 19, by deleting the number “(2)” on said line and inserting in lieu thereof the letter “(c)”;

Further amend said bill, page, and section, Line 21, by deleting the letter “(a)” on said line and inserting in lieu thereof the letter “a.”; and

Further amend said bill, page, and section, Line 22, by deleting the letter “(b)” on said line and inserting in lieu thereof the letter “b.”; and

Further amend said section by renumbering said subsection and subdivisions accordingly; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Redmon, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Cauthorn, **House Amendment No. 5, as amended**, was adopted.

Representative Brown (50) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 760, Page 19, Section 292.606, Line 71, by inserting after all of said section and line the following:

“300.390. 1. **Except as otherwise provided in subsection 4 of this section**, every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. The foregoing rules in this section have no application under the conditions stated in section 300.395 when pedestrians are prohibited from crossing at certain designated places.

4. **In any home rule city with more than four hundred thousand inhabitants and located in more than one county, vehicles shall yield the right-of-way to all pedestrians and bicyclists crossing in an appropriate crosswalk on a city or neighborhood street. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor.**

304.900. 1. **Except as provided in subsection 4 of this section**, every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. **In any urbanized area as defined in section 304.010, vehicles shall yield the right-of-way to all pedestrians and bicyclists, even those crossing or operating in areas not designated as cross walks. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor.**

4. **Nothing in this section shall be construed to prohibit a political subdivision from enacting laws restricting where a person shall or shall not cross a street within a jurisdiction. Notwithstanding any other law, a pedestrian's act of crossing in a prohibited area shall not preclude a cause of action against a driver who has struck a pedestrian.”; and**

Further amend said bill, Page 41, Section 571.117, Line 99, by inserting after all of said section and line, the following:

“577.060. 1. A person commits the crime of leaving the scene of a motor vehicle accident when being the operator or driver of a vehicle on the highway or on any publicly or privately owned parking lot or parking facility generally open for use by the public and knowing that an injury has been caused to a person or damage has been caused to property, due to [his] **such person's** culpability or to accident, [he] **such person** leaves the place of the injury, damage or accident without stopping and giving his **or her** name, residence, including city and street number, motor vehicle

number and driver's license number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

2. For the purposes of this section, all peace officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. Leaving the scene of a motor vehicle accident is a class A misdemeanor, except that it shall be a class D felony if the accident resulted in:

- (1) Physical injury to another party; or
- (2) Property damage in excess of one thousand dollars; or
- (3) If the defendant has previously pled guilty to or been found guilty of a violation of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (50), **House Amendment No. 6** was adopted.

Representative Fitzwater offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 760, Page 9, Section 67.4505, Line 19, by inserting after all of said line the following:

“163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United States district court for the eastern district of Missouri in December 2011 in the case of United States of America and State of Missouri v. The Doe Run Resources Corporation d/b/a “ The Doe Run Company.” and the Buick Resource Recycling Facility, LLC, because of environmental violations shall not be included in any district’s “local effort” figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Fitzwater, **House Amendment No. 7** was adopted.

Representative Ruzicka offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 760, Pages 13-17, Section 260.392, by removing all of said section from the bill and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of

low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each [cask transported] **truck transporting** through or within the state [by truck of] high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All [casks] **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments [transported by truck] are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 8** was adopted.

Representative Cauthorn offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 760, Page 44, Section 640.100, Line 106, by inserting after all of said section and line the following:

"644.016. When used in sections 644.006 to 644.141 and in standards, rules and regulations promulgated pursuant to sections 644.006 to 644.141, the following words and phrases mean:

(1) "Aquaculture facility", a hatchery, fish farm, or other facility used for the production of aquatic animals that is required to have a permit pursuant to the federal Clean Water Act, as amended, 33 U.S.C. 1251, et seq.;

(2) "Commission", the clean water commission of the state of Missouri created in section 644.021;

(3) "Conference, conciliation and persuasion", a process of verbal or written communications consisting of meetings, reports, correspondence or telephone conferences between authorized representatives of the department and the alleged violator. The process shall, at a minimum, consist of one offer to meet with the alleged violator tendered by the department. During any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate the alleged violation and shall attempt to agree upon a plan to achieve compliance;

(4) "Department", the department of natural resources;

(5) "Director", the director of the department of natural resources;

(6) "Discharge", the causing or permitting of one or more water contaminants to enter the waters of the state;

(7) "Effluent control regulations", limitations on the discharge of water contaminants;

(8) "General permit", a permit written with a standard group of conditions and with applicability intended for a designated category of water contaminant sources that have the same or similar operations, discharges and geographical locations, and that require the same or similar monitoring, and that would be more appropriately controlled pursuant to a general permit rather than pursuant to a site-specific permit;

(9) **"General permit template", a draft general permit that is being developed through a public participation process;**

(10) "Human sewage", human excreta and wastewater, including bath and toilet waste, residential laundry waste, residential kitchen waste, and other similar waste from household or establishment appurtenances;

[(10)] (11) "Income" includes retirement benefits, consultant fees, and stock dividends;

[(11)] (12) "Minor violation", a violation which possesses a small potential to harm the environment or human health or cause pollution, was not knowingly committed, and is not defined by the United States Environmental Protection Agency as other than minor;

[(12)] (13) "Permit by rule", a permit granted by rule, not by a paper certificate, and conditioned by the permit holder's compliance with commission rules;

[(13)] (14) "Permit holders or applicants for a permit" shall not include officials or employees who work full time for any department or agency of the state of Missouri;

[(14)] (15) "Person", any individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision, or any agency, board, department, or bureau of the state or federal government, or any other legal entity whatever which is recognized by law as the subject of rights and duties;

[(15)] (16) "Point source", any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. Point source does not include agricultural storm water discharges and return flows from irrigated agriculture;

[(16)] (17) "Pollution", such contamination or other alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the state as will or is reasonably certain to create a nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, industrial, agricultural, recreational, or other legitimate beneficial uses, or to wild animals, birds, fish or other aquatic life;

[(17)] (18) "Pretreatment regulations", limitations on the introduction of pollutants or water contaminants into publicly owned treatment works or facilities which the commission determines are not susceptible to treatment by such works or facilities or which would interfere with their operation, except that wastes as determined compatible for treatment pursuant to any federal water pollution control act or guidelines shall be limited or treated pursuant to this chapter only as required by such act or guidelines;

[(18)] (19) "Residential housing development", any land which is divided or proposed to be divided into three or more lots, whether contiguous or not, for the purpose of sale or lease as part of a common promotional plan for residential housing;

[(19)] (20) "Sewer system", pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances and facilities used for collecting or conducting wastes to an ultimate point for treatment or handling;

[(20)] (21) "Significant portion of his or her income" shall mean ten percent of gross personal income for a calendar year, except that it shall mean fifty percent of gross personal income for a calendar year if the recipient is over sixty years of age, and is receiving such portion pursuant to retirement, pension, or similar arrangement;

[(21)] (22) "Site-specific permit", a permit written for discharges emitted from a single water contaminant source and containing specific conditions, monitoring requirements and effluent limits to control such discharges;

[(22)] (23) "Treatment facilities", any method, process, or equipment which removes, reduces, or renders less obnoxious water contaminants released from any source;

[(23)] (24) "Water contaminant", any particulate matter or solid matter or liquid or any gas or vapor or any combination thereof, or any temperature change which is in or enters any waters of the state either directly or indirectly by surface runoff, by sewer, by subsurface seepage or otherwise, which causes or would cause pollution upon entering waters of the state, or which violates or exceeds any of the standards, regulations or limitations set forth in sections 644.006 to 644.141 or any federal water pollution control act, or is included in the definition of pollutant in such federal act;

[(24)] (25) "Water contaminant source", the point or points of discharge from a single tract of property on which is located any installation, operation or condition which includes any point source defined in sections 644.006 to 644.141 and nonpoint source pursuant to any federal water pollution control act, which causes or permits a water contaminant therefrom to enter waters of the state either directly or indirectly;

[(25)] (26) "Water quality standards", specified concentrations and durations of water contaminants which reflect the relationship of the intensity and composition of water contaminants to potential undesirable effects;

[(26)] (27) "Waters of the state", all rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two or more persons jointly or as tenants in common and includes waters of the United States lying within the state."; and

Further amend said bill, Page 48, Section 644.026, Line 134, by inserting after all of said section and line the following:

“644.051. 1. It is unlawful for any person:

(1) To cause pollution of any waters of the state or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the state;

(2) To discharge any water contaminants into any waters of the state which reduce the quality of such waters below the water quality standards established by the commission;

(3) To violate any pretreatment and toxic material control regulations, or to discharge any water contaminants into any waters of the state which exceed effluent regulations or permit provisions as established by the commission or required by any federal water pollution control act;

(4) To discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into the waters of the state.

2. It shall be unlawful for any person to build, erect, alter, replace, operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds a permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works.

3. Every proposed water contaminant or point source which, when constructed or installed or established, will be subject to any federal water pollution control act or sections 644.006 to 644.141 or regulations promulgated pursuant to the provisions of such act shall make application to the director for a permit at least thirty days prior to the initiation of construction or installation or establishment. Every water contaminant or point source in existence when regulations or sections 644.006 to 644.141 become effective shall make application to the director for a permit within sixty days after the regulations or sections 644.006 to 644.141 become effective, whichever shall be earlier. The director shall promptly investigate each application, which investigation shall include such hearings and notice, and consideration of such

comments and recommendations as required by sections 644.006 to 644.141 and any federal water pollution control act. If the director determines that the source meets or will meet the requirements of sections 644.006 to 644.141 and the regulations promulgated pursuant thereto, the director shall issue a permit with such conditions as he or she deems necessary to ensure that the source will meet the requirements of sections 644.006 to 644.141 and any federal water pollution control act as it applies to sources in this state. If the director determines that the source does not meet or will not meet the requirements of either act and the regulations pursuant thereto, the director shall deny the permit pursuant to the applicable act and issue any notices required by sections 644.006 to 644.141 and any federal water pollution control act.

4. Before issuing a permit to build or enlarge a water contaminant or point source or reissuing any permit, the director shall issue such notices, conduct such hearings, and consider such factors, comments and recommendations as required by sections 644.006 to 644.141 or any federal water pollution control act. The director shall determine if any state or any provisions of any federal water pollution control act the state is required to enforce, any state or federal effluent limitations or regulations, water quality-related effluent limitations, national standards of performance, toxic and pretreatment standards, or water quality standards which apply to the source, or any such standards in the vicinity of the source, are being exceeded, and shall determine the impact on such water quality standards from the source. The director, in order to effectuate the purposes of sections 644.006 to 644.141, shall deny a permit if the source will violate any such acts, regulations, limitations or standards or will appreciably affect the water quality standards or the water quality standards are being substantially exceeded, unless the permit is issued with such conditions as to make the source comply with such requirements within an acceptable time schedule. [Prior to the development or renewal of a general permit or permit by rule, for aquaculture, the director shall convene a meeting or meetings of permit holders and applicants to evaluate the impacts of permits and to discuss any terms and conditions that may be necessary to protect waters of the state. Following the discussions, the director shall finalize a draft permit that considers the comments of the meeting participants and post the draft permit on notice for public comment. The director shall concurrently post with the draft permit an explanation of the draft permit and shall identify types of facilities which are subject to the permit conditions. Affected public or applicants for new general permits, renewed general permits or permits by rule may request a hearing with respect to the new requirements in accordance with this section. If a request for a hearing is received, the commission shall hold a hearing to receive comments on issues of significant technical merit and concerns related to the responsibilities of the Missouri clean water law. The commission shall conduct such hearings in accordance with this section. After consideration of such comments, a final action on the permit shall be rendered. The time between the date of the hearing request and the hearing itself shall not be counted as time elapsed pursuant to subdivision (1) of subsection 14 of this section.]

5. The director shall grant or deny the permit within sixty days after all requirements of the Federal Water Pollution Control Act concerning issuance of permits have been satisfied unless the application does not require any permit pursuant to any federal water pollution control act. The director or the commission may require the applicant to provide and maintain such facilities or to conduct such tests and monitor effluents as necessary to determine the nature, extent, quantity or degree of water contaminant discharged or released from the source, establish and maintain records and make reports regarding such determination.

6. The director shall promptly notify the applicant in writing of his or her action and if the permit is denied state the reasons therefor. The applicant may appeal to the commission from the denial of a permit or from any condition in any permit by filing notice of appeal with the commission within thirty days of the notice of denial or issuance of the permit. After a final action is taken on a new or reissued general permit [template], a potential applicant for the general permit who can demonstrate that he or she is or may be adversely affected by any permit term or condition may appeal the terms and conditions of the general permit [template] within thirty days of the department's issuance of the general permit [template]. The commission shall set the matter for hearing not less than thirty days after the notice of appeal is filed]. In no event shall a permit constitute permission to violate the law or any standard, rule or regulation promulgated pursuant thereto.

7. In any hearing held pursuant to this section that involves a permit, license, or registration, the burden of proof is on the party specified in section 640.012. Any decision of the commission made pursuant to a hearing held pursuant to this section is subject to judicial review as provided in section 644.071.

8. In any event, no permit issued pursuant to this section shall be issued if properly objected to by the federal government or any agency authorized to object pursuant to any federal water pollution control act unless the application does not require any permit pursuant to any federal water pollution control act.

9. Permits may be modified, reissued, or terminated at the request of the permittee. All requests shall be in writing and shall contain facts or reasons supporting the request.

10. [Unless a site-specific permit is requested by the applicant, aquaculture facilities shall be governed by a general permit issued pursuant to this section with a fee not to exceed two hundred fifty dollars pursuant to subdivision

(5) of subsection 6 of section 644.052. However, any aquaculture facility which materially violates the conditions and requirements of such permit may be required to obtain a site-specific permit.

11.] No manufacturing or processing plant or operating location shall be required to pay more than one operating fee. Operating permits shall be issued for a period not to exceed five years after date of issuance, except that general permits shall be issued for a five-year period, and also except that neither a construction nor an annual permit shall be required for a single residence's waste treatment facilities. Applications for renewal of [an] **a site-specific** operating permit shall be filed at least one hundred eighty days prior to the expiration of the existing permit. **Applications seeking to renew coverage under a general permit shall be submitted at least thirty days prior to the expiration of the general permit, unless the permittee has been notified by the director that an earlier application must be made. General permits may be applied for and issued electronically once made available by the director.**

[12.] 11. Every permit issued to municipal or any publicly owned treatment works or facility shall require the permittee to provide the clean water commission with adequate notice of any substantial new introductions of water contaminants or pollutants into such works or facility from any source for which such notice is required by sections 644.006 to 644.141 or any federal water pollution control act. Such permit shall also require the permittee to notify the clean water commission of any substantial change in volume or character of water contaminants or pollutants being introduced into its treatment works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility and the anticipated impact of such introduction on the quality or quantity of effluent to be released from such works or facility into waters of the state.

[13.] 12. The director or the commission may require the filing or posting of a bond as a condition for the issuance of permits for construction of temporary or future water treatment facilities or facilities that utilize innovative technology for wastewater treatment in an amount determined by the commission to be sufficient to ensure compliance with all provisions of sections 644.006 to 644.141, and any rules or regulations of the commission and any condition as to such construction in the permit. For the purposes of this section, "innovative technology for wastewater treatment" shall mean a completely new and generally unproven technology in the type or method of its application that bench testing or theory suggest has environmental, efficiency, and cost benefits beyond the standard technologies. No bond shall be required for designs approved by any federal agency or environmental regulatory agency of another state. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission. The bond shall remain in effect until the terms and conditions of the permit are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

[14.] 13. (1) The department shall issue or deny applications for construction and site-specific operating permits received after January 1, 2001, within one hundred eighty days of the department's receipt of an application. For general construction and operating permit applications received after January 1, 2001, that do not require a public participation process, the department shall issue or deny the [requested] permits within sixty days of the department's receipt of an application. **For an application seeking coverage under a renewed general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the director's receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application seeking coverage under an initial general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the department's receipt of the application. For an application seeking coverage under a renewed general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director's receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application for an initial general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director's receipt of the application.**

(2) If the department fails to issue or deny with good cause a construction or operating permit application within the time frames established in subdivision (1) of this subsection, the department shall refund the full amount of the initial application fee within forty-five days of failure to meet the established time frame. If the department fails to refund the application fee within forty-five days, the refund amount shall accrue interest at a rate established pursuant to section 32.065.

(3) Permit fee disputes may be appealed to the commission within thirty days of the date established in subdivision (2) of this subsection. If the applicant prevails in a permit fee dispute appealed to the commission, the commission may order the director to refund the applicant's permit fee plus interest and reasonable attorney's fees as

provided in sections 536.085 and 536.087. A refund of the initial application or annual fee does not waive the applicant's responsibility to pay any annual fees due each year following issuance of a permit.

(4) No later than December 31, 2001, the commission shall promulgate regulations defining shorter review time periods than the time frames established in subdivision (1) of this subsection, when appropriate, for different classes of construction and operating permits. In no case shall commission regulations adopt permit review times that exceed the time frames established in subdivision (1) of this subsection. The department's failure to comply with the commission's permit review time periods shall result in a refund of said permit fees as set forth in subdivision (2) of this subsection. On a semiannual basis, the department shall submit to the commission a report which describes the different classes of permits and reports on the number of days it took the department to issue each permit from the date of receipt of the application and show averages for each different class of permits.

(5) During the department's technical review of the application, the department may request the applicant submit supplemental or additional information necessary for adequate permit review. The department's technical review letter shall contain a sufficient description of the type of additional information needed to comply with the application requirements.

(6) Nothing in this subsection shall be interpreted to mean that inaction on a permit application shall be grounds to violate any provisions of sections 644.006 to 644.141 or any rules promulgated pursuant to sections 644.006 to 644.141.

[15.] **14.** The department shall respond to all requests for individual certification under Section 401 of the Federal Clean Water Act within the lesser of sixty days or the allowed response period established pursuant to applicable federal regulations without request for an extension period unless such extension is determined by the commission to be necessary to evaluate significant impacts on water quality standards and the commission establishes a timetable for completion of such evaluation in a period of no more than one hundred eighty days.

[16.] **15.** All permit fees generated pursuant to this chapter shall not be used for the development or expansion of total maximum daily loads studies on either the Missouri or Mississippi rivers.

[17.] **16.** The department shall implement permit shield provisions equivalent to the permit shield provisions implemented by the U.S. Environmental Protection Agency pursuant to the Clean Water Act Section 402(k), 33 U.S.C. 1342(k), and its implementing regulations, for permits issued pursuant to chapter 644.

17. Prior to the development of a new general permit or reissuance of a general permit for aquaculture, land disturbance requiring a stormwater permit, or reissuance of a general permit under which fifty or more permits were issued under a general permit during the immediately preceding five-year period for a designated category of water contaminant sources, the director shall implement a public participation process complying with the following minimum requirements:

(1) For a new general permit or reissuance of a general permit, a general permit template shall be developed for which comments shall be sought from permittees and other interested persons prior to issuance of the general permit;

(2) The director shall publish notice of his intent to issue a new general permit or reissue a general permit by posting notice on the department's website at least one-hundred eighty days before the proposed effective date of the general permit;

(3) The director shall hold a public informational meeting to provide information on anticipated permit conditions and requirements and to receive informal comments from permittees and other interested persons. The director shall include notice of the public informational meeting with the notice of intent to issue a new general permit or reissue a general permit under subdivision (2) of this subsection. The notice of the public informational meeting, including the date, time and location, shall be posted on the department's website at least thirty days in advance of the public meeting. If the meeting is being held for reissuance of a general permit, notice shall also be made by electronic mail to all permittees holding the current general permit which is expiring. Notice to current permittees shall be made at least twenty days prior to the public meeting;

(4) The director shall hold a thirty-day public comment period to receive comments on the general permit template with the thirty-day comment period expiring at least sixty days prior to the effective date of the general permit. Scanned copies of the comments received during the public comment period shall be posted on the department's website within five business days after close of the public comment period;

(5) A revised draft of a general permit template and the director's response to comments submitted during the public comment period shall be posted on the department's website at least forty-five days prior to issuance of the general permit. At least forty-five days prior to issuance of the general permit the department shall notify all persons who submitted comments to the department that these documents have been posted to the department's website;

(6) Upon issuance of a new or renewed general permit, the general permit shall be posted to the department's website.

18. Notices required to be made by the department pursuant to subsection 17 of this section may be made by electronic mail. The department shall not be required to make notice to any permittee or other person who has not provided a current electronic mail address to the department. In the event the department chooses to make material modifications to the general permit before its expiration, the department shall follow the public participation process described in subsection 17 of this section.

19. The provisions of subsection 17 of this section shall become effective beginning January 1, 2013.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 9** was adopted.

On motion of Representative Ruzicka, **HCS SB 760, as amended**, was adopted.

On motion of Representative Ruzicka, **HCS SB 760, as amended**, was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McDonald	McGhee
McNary	Meadows	Molendorp	Nasheed	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 030

Atkins	Aull	Carlson	Carter	Colona
Ellington	Holsman	Hughes	Jones 63	Kirkton
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Spreng	Still	Talboy	Taylor	Walton Gray

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PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Diehl	Fraker	Gosen	Keeney
Nance	Neth	Riddle	Scharnhorst	Webb

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 114

Allen	Anders	Asbury	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McManus	Meadows	Molendorp
Nance	Nasheed	Nolte	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 035

Atkins	Aull	Bahr	Carlson	Carter
Colona	Ellinger	Ellington	Holsman	Hughes
Hummel	Jones 63	Kirkton	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Cierpiot	Conway 14	Diehl	Gosen
Grisamore	Keeney	McNary	Neth	Parkinson
Riddle	Scharnhorst	Spreng	Webb	

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SCS SB 631: Representatives Reiboldt, Guernsey, Loehner, Schieffer and Taylor

Speaker Pro Tem Schoeller assumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SB 854, relating to home health care, was taken up by Representative Long.

Representative Long offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 854, Page 1, in the Title, Line 3, by deleting the phrase “employment disqualification list for home care employees” and inserting in lieu thereof the phrase “home- and community-based services”; and

Further amend said bill, Section 208.895, Page 2, Lines 42-45, by deleting all of said lines from the bill and renumber subsequent subsections accordingly; and

Further amend said bill, section and page, Line 48, by deleting the words “**section, the**” and inserting in lieu thereof the following:

“section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days the provider’s care plan shall be approved and payment shall begin no later than five business days after receipt of the assessment and care plan from the provider. The”; and

Further amend said bill and section, Page 3, Line 67, by deleting all of said line and insert in lieu thereof the following:

“shall include a review of the client plan of care and provider assessments, choice and communication of home-”; and

Further amend said bill, section and page, Line 69, by inserting after the word “**services.**” the following:

“Such auditing shall be conducted utilizing a statistically valid sample.”; and

Further amend said bill and section, Page 3, Lines 73-74, by deleting all of said lines and insert in lieu thereof the following:

“(1) "Assessment" means a face-to-face determination that a Medicaid participant is eligible for home- and community-based services and:”; and

Further amend said bill, Section 660.315, Page 6, Lines 75-78, by deleting all of said lines and inserting in lieu thereof the word “disqualification list.”; and

Further amend said bill and section, Pages 6-7, Lines 82-87, by deleting all of said lines and inserting in lieu thereof the word “writing”; and

Further amend said bill and section, Page 7, Line 97, by inserting after the word “employer” the phrase “**or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250**”; and

Further amend said bill, section and page, Lines 99-104, by deleting all of said lines and inserting lieu thereof the following:

“after the date of hire] **deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or**”; and

Further amend said bill, section and page, Line 107, by inserting after the word “**employer**” the phrase “**or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 117
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Thomson
Torpey	Wallingford	Wells	Weter	Wieland
Wright	Zerr			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe

May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 85	Cross	Diehl	Gosen	Jones 89
Keeney	McGhee	McNary	McNeil	Riddle
Scharnhorst	Stream	Webb	White	Wyatt
Mr Speaker				

On motion of Representative Long, **House Amendment No. 1** was adopted.

Representative Weter offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 854, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the

term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, [or] podiatrist, **or an advanced practice registered nurse with a collaborative practice agreement**; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, [or] podiatrist, **or an advanced practice registered nurse with a collaborative practice agreement** may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in his professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if her or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. 301, et seq.) subject to appropriation by the general assembly;

(17) [Beginning July 1, 1990,] The services of [a certified pediatric or family nursing practitioner] **an advanced practice registered nurse** with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would

have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the division of medical services, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subsection, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15)

of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the Missouri MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 2** was adopted.

Representative Silvey offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 854, Page 8, Section 660.315, Line 136, by inserting after all of said section and line the following:

"Section 1. 1. The department of social services is authorized to pay for coverage for health services for non-Medicaid eligible blind individuals who receive benefits under the Missouri blind pension cash grant and have a gross family income of between zero percent and three hundred percent of the federal poverty level. Such individuals shall pay the following health care premiums based on such individual's gross income to be eligible to receive such benefits:

(1) No premium for an individual with a gross income of up to one hundred fifty percent of the federal poverty level;

(2) Three percent of one hundred fifty percent of the federal poverty level for an individual for individuals with a gross income of more than one hundred fifty and up to one hundred eighty-five percent of the federal poverty level;

(3) Four percent of one hundred eighty-five percent of the federal poverty level for an individual for individuals with a gross income of more than one hundred eighty-five and up to two hundred twenty-five percent of the federal poverty level; and

(4) Five percent of two hundred twenty-five percent of the federal poverty level for an individual for individuals with a gross income of more than two hundred twenty-five and up to three hundred percent of the federal poverty level.

Any individual with a gross income of greater than three hundred percent of the federal poverty level is ineligible for benefits under this section.

2. (1) There is hereby created in the state treasury the "Blind Pension Health Care Fund" which shall consist of all federal moneys received by the state for the purpose of providing health care services for non-Medicaid eligible blind individuals who receive benefits under the Missouri blind pension cash grant. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of the program of health care benefits described in subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. (1) There is hereby created in the state treasury the "Blind Pension Premium Fund" which shall consist of all premiums collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of the program of health care benefits described in subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Section B. Because of the need to protect funding for the blind pension health care fund, the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 3** was adopted.

On motion of Representative Long, **HCS SS SB 854, as amended**, was adopted.

On motion of Representative Long, **HCS SS SB 854, as amended**, was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
Molendorp	Montecillo	Nance	Nasheed	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 010

Ellington	Hughes	Kirkton	McCreery	McNeil
Morgan	Newman	Schupp	Sifton	Swearingen

PRESENT: 000

ABSENT WITH LEAVE: 011

Cross	Diehl	Ellinger	Gosen	Kelly 24
McNary	Meadows	Neth	Riddle	Scharnhorst
Webb				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Morgan	Nance	Nasheed	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 006

Ellington	Hughes	McCreery	Newman	Oxford
Schupp				

PRESENT: 000

ABSENT WITH LEAVE: 010

Cross	Diehl	Gosen	McNary	Meadows
Molendorp	Neth	Riddle	Scharnhorst	Webb

On motion of Representative Jones (89), the House recessed until 8:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Silvey.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HB 1170**, entitled:

An act to repeal sections 37.850, 67.463, 67.469, 67.1018, 67.1521, 67.2500, 67.2510, 92.338, 99.845, 135.215, 135.963, 137.016, 137.076, 177.011, 231.444, 321.460, and 610.021, RSMo, and to enact in lieu thereof nineteen new sections relating to local taxation, with an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 20, Section 99.845, Line 11 of said page, by inserting immediately after "system," the following:

"taxes levied pursuant to subsection 2 of section 67.1712,".

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 30, Section 99.845, Line 27 of said page, by inserting immediately after said line the following:

"99.848. [Notwithstanding subsection 1 of section 99.847,] Any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. **The ambulance district board or fire protection board shall set the percentage of the district's reimbursement prior to any funds being deposited in the special allocation fund.** This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 15, Section 92.338, Line 24, by inserting after all of said line the following:

"99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the

hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. [Effective January 1, 2008,] If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. **Except that no municipality which is a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, or a county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, or is located in any such county, shall approve such project, plan, designation, or amendments thereto, unless a majority of the commission members vote to make a recommendation to approve such project, plan, designation, or amendments, or such municipality places the question before the qualified voters of such municipality and the question is approved by a majority of the voters voting thereon at the next regularly scheduled municipal or general election.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 3, Section 37.850, Line 16, by inserting after all of said line the following:

"50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. **Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.**

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, 2015.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget pursuant to the terms of its charter."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 668, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 749, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

THIRD READING OF SENATE BILL

HCS SS SB 769, relating to state and local standards, was taken up by Representative Cierpiot.

Representative Torpey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the

purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments

in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schieber offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 9, Line 8, by inserting after all of said line the following:

‘Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, **if said political subdivision or municipality levies ad valorem taxes**, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, **if said political subdivision or municipality levies ad valorem taxes**, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieber, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Torpey, **House Amendment No. 1, as amended**, was adopted.

Representative Cierpiot offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 8, Section 321.228, Line 26, by inserting after the word "**construction**" the following:

". Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 2** was adopted.

Representative Hough offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 1, Section A, Line 3, by inserting after all of said line the following:

"1.340. No provision of a statute shall require or allow for the extension or reauthorization by resolution or concurrent resolution of a credit against a tax of general applicability. Such provision shall be null and void in its entirety, but the remaining subsections of that statute shall remain in effect."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 3** was adopted.

Representative Franz offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 1, Section A, Line 3, by inserting after all of said line the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney.

The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section[; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence]. **The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year,** shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars[, other than regular budget allocations or land sale proceeds,] **in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 4** was adopted.

Representative Brattin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 2, Section 178.530, Line 26, by inserting after all of said section and line the following:

“191.334. 1. This section shall be known and may be cited as "Chloe's Law".

2. By January 1, 2013, the department of health and senior services shall expand the newborn screening requirements in section 191.331 to include critical congenital heart disease, using a test approved by the department, prior to discharge of the newborn from the health care facility.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

On motion of Representative Brattin, **House Amendment No. 5** was adopted.

Representative Jones (117) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 9, Section 701.550, Line 29, by inserting after all of said section and line the following:

“Section 1. No law, rule, or contract shall compel, directly or indirectly, health care provider, or hospital to participate in any particular health information exchange.

2. This section does not:

(1) Affect laws or regulations in effect as of January 1, 2010;
(2) Affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing health care provider, or hospital for participating in any health information exchange.

3. As used in this section, the following terms shall mean:

(1) "Compel", any penalties or fines;
(2) "Health care system", any public or private entity whose function or purpose is the management of, processing of, enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;
(3) "Penalties or fines", any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge or any named fee with a similar effect established by law or rule by a government established, created or controlled agency that is used to punish or discourage the exercise of rights protected under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 6** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Ruzicka	Schad
Schatz	Schieber	Schoeller	Shumake	Silvey
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard

Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Carter	Dieckhaus	Entlicher	Fuhr
Hughes	McGhee	McManus	Molendorp	Richardson
Riddle	Rowland	Sater	Scharnhorst	Schneider
Smith 150	Webb	Wyatt	Mr Speaker	

On motion of Representative Cierpiot, **HCS SS SB 769, as amended**, was adopted.

On motion of Representative Cierpiot, **HCS SS SB 769, as amended**, was read the third time and passed by the following vote:

AYES: 118

Anders	Asbury	Aull	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	Meadows	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	White
Wyatt	Zerr	Mr Speaker		

NOES: 030

Atkins	Carlson	Carter	Colona	Ellinger
Holsman	Jones 63	Kirkton	Korman	Kratky
Marshall	McCreery	McGeoghegan	McNeil	Montecillo

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Morgan	Newman	Nichols	Oxford	Pace
Pierson	Schieffer	Schupp	Sifton	Smith 71
Spreng	Swearingen	Walton Gray	Webber	Wieland

PRESENT: 002

Barnes	Ellington
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ABSENT WITH LEAVE: 013

Allen	Bahr	Brown 50	Dieckhaus	Fuhr
Higdon	Hughes	Molendorp	Pollock	Riddle
Webb	Weter	Wright		

Representative Silvey declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1577**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 498, as amended**, and has taken up and passed **CCS HCS SCS SB 498**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 563, as amended**, and has taken up and passed **HCS SCS SB 563, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 569, as amended**, and has taken up and passed **CCS HCS SCS SB 569**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 854, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Speaker Tilley assumed the Chair.

BILLS CARRYING REQUEST MESSAGES

SB 736, with House Amendment No. 1, relating to a St. Francois County Special Road Tax, was taken up by Representative Gatschenberger.

Representative Gatschenberger moved that the House recede from its position on **House Amendment No. 1 to SB 736**.

Which motion was adopted.

On motion of Representative Gatschenberger, **SB 736** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Burlison Pierson

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Dieckhaus	Ellington	Fuhr	Hubbard
Hughes	Riddle	Webb		

Speaker Tilley declared the bill passed.

SCS SB 715, with House Amendment No. 1 and House Amendment No. 2, relating to members of the state militia, was taken up by Representative Day.

Representative Day moved that the House recede from its position on **House Amendment No. 1** and **House Amendment No. 2** to **SCS SB 715**.

Which motion was adopted.

On motion of Representative Day, **SCS SB 715** was truly agreed to and finally passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Webber

ABSENT WITH LEAVE: 007

Brown 50	Fuhr	Hughes	McDonald	Riddle
Scharnhorst	Webb			

Speaker Tilley declared the bill passed.

BILLS IN CONFERENCE

CCR HCS SB 568, as amended, relating to motor vehicle operation, was taken up by Representative Franz.

On motion of Representative Franz, **CCR HCS SB 568, as amended**, was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

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NOES: 001

McCreery

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Fuhr	Grisamore	Guernsey	Holsman
Hughes	McDonald	Riddle	Webb	

On motion of Representative Franz, **CCS HCS SB 568** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Kirkton	McCreery	Newman	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 50	Fuhr	Hughes	McDonald	Riddle
Webb				

Speaker Tilley declared the bill passed.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 50	Cierpiot	Elmer	Frederick	Fuhr
Hughes	Loehner	McDonald	Nasheed	Newman
Riddle	Webb	Webber		

The emergency clause was adopted by the following vote:

AYES: 115

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Koenig	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Learn
Lichtenegger	Long	Marshall	McCaherty	McGeoghegan
McGhee	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 025

Berry	Carlson	Carter	Colona	Ellington
Hummel	Jones 63	Kirkton	Lasater	McCann Beatty
McCreery	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Rizzo	Schupp	Sifton
Spreng	Still	Swearingen	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 023

Brown 50	Cierpiot	Conway 14	Diehl	Ellinger
Elmer	Fallert	Fuhr	Holsman	Hughes
Kelly 24	Klippenstein	Korman	Lochner	May
McDonald	McManus	McNeil	Riddle	Talboy
Torpey	Webb	Webber		

CCR SCS HB 1135, as amended, relating to a state administrative rules review, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **CCR SCS HB 1135, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 008

Carlson	Colona	Ellinger	Ellington	Morgan
Oxford	Schupp	Smith 71		

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Cox	Cross	Franz	Fuhr
Hughes	Riddle	Sater	Schad	Webb

On motion of Representative Smith (150), **CCS SCS HB 1135** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 011

Carlson	Carter	Colona	Ellinger	Ellington
Jones 63	Morgan	Oxford	Pierson	Schupp
Smith 71				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Fuhr	Hughes	Jones 89	Leara
McNary	Riddle	Scharnhorst	Schneider	Webb

Speaker Tilley declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 726, as amended, relating to insurance transactions, was taken up by Representative Wells.

Representative Wells moved that the House refuse to recede from its position on **HCS SCS SB 726, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS#2 SCS SB 480, as amended, relating to transportation, was taken up by Representative Burlison.

Representative Burlison moved that the House refuse to recede from its position on **HCS#2 SCS SB 480, as amended**, and grant the Senate a conference.

Representative Cox moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lera	Lichtenegger	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton

Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Cierpiot	Franz	Fuhr	Hughes
Jones 89	Loehner	McGhee	Nolte	Pollock
Riddle	Scharnhorst	Stream	Webb	Wyatt

Representative Burlison again moved that the House refuse to recede from its position on **HCS#2 SCS SB 480, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 673, as amended, relating to motor vehicles, was taken up by Representative Day.

Representative Day moved that the House refuse to recede from its position on **HCS SCS SB 673, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SB 854, as amended, relating to home health care, was taken up by Representative Long.

Representative Long moved that the House refuse to recede from its position on **HCS SS SB 854, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SCS SB 510, relating to political subdivisions, was taken up by Representative Diehl.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

- "67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**
- (1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;**
 - (2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;**
 - (3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;**
 - (4) "Department", the Missouri department of economic development;**

- (5) "Director", the director of revenue;
- (6) "Eligible costs", shall include:
 - (a) Costs necessary for conducting the sporting event;
 - (b) Costs relating to the preparations necessary for the conduct of the sporting event; and
 - (c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification

of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
- (2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and
- (3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Franklin offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line, the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities **whose primary administrative office is located within the same county, legislative district, or senatorial district as the fee office bid upon** that are exempt from taxation under Section 501(c)(3) [or], 501(c)(6), or **501(c)(19)** of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts, **with a point preference given for the following:**

(1) **Organizations and entities currently operating fee offices within the municipality or county shall be given points for the immediately preceding year of operation, with additional points awarded for each continuous five-year period of operation beyond the initial year;**

(2) Organizations and entities who have previously operated fee offices within the municipality or county shall be given points for a year of operation, with additional points awarded for each continuous five-year period of operation beyond the initial year;

(3) Organizations and entities shall be given points based on lower administrative costs, with preference given to organizations and entities with lower such costs.

3. Any nonprofit entity awarded a contract under this section shall:

(1) Submit the most recent annual report to the director of the department of revenue, prior to February first of each year, which shall contain for the immediately preceding year:

(a) The net receipts of the fee office;

(b) An itemization of all expenditures and administrative fees paid including both operating expenses and charitable contributions; and

(c) A list of all charities benefitting from fees collected under this section;

(2) Prominently display at its business location all charitable entities benefitting from fees collected under this section.

The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection **and subsection 2 of this section**. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

[3.] 4. All fees collected by a tax-exempt organization may be retained and used by the organization.

[4.] 5. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

[5.] 6. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

[6.] 7. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

[7.] 8. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 2** was adopted.

Representative Nolte offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; [and]

(2) Grant county [sales tax] revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233;

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. [If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue] **In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy.**

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

- (1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;
- (2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and
- (3) It contains the following information:
 - (a) The legal description of the proposed district, including a map illustrating the district boundaries;
 - (b) The name of the proposed district;
 - (c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;
 - (d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;
 - (e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;
 - (f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;
 - (g) If the district is to be a political subdivision, the number of directors to serve on the board;
 - (h) The total assessed value of all real property within the proposed district;
 - (i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;
 - (j) The proposed length of time for the existence of the district;
 - (k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;
 - (l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

- (m) The limitations, if any, on the borrowing capacity of the district;
- (n) The limitations, if any, on the revenue generation of the district;
- (o) Other limitations, if any, on the powers of the district;
- (p) A request that the district be established; and
- (q) Any other items the petitioners deem appropriate; [and]

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner:

Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:.....

If owner is not an individual, state what type of entity:

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

.....

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

.....

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF)

Before me personally appeared, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this day of (month), (year).

.....

Notary Public

My Commission Expires: ; and

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a

return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of purpose) in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 3** was adopted.

Representative Weter offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 137.076, Line 5, by inserting after all of said section and line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services,

including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309

which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants** that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. **Except as provided in subdivision (4) of this subsection**, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 4** was adopted.

Representative Talboy offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section, the following:

“67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

- (1) Later establishment or cessation of any park or recreation system provided by law; or**
- (2) Any powers and responsibilities of any park or recreation system provided by state law.**

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as “. Parks, Trails, and Greenways District”. In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted

to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

- (1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;
- (2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;
- (3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;
- (4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;
- (5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;
- (6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;
- (7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;
- (8) Establish and collect reasonable charges for the use of the facilities of the district;
- (9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and
- (10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of, state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to County and the cities within the County for local park improvements?

☐ YES

☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any

such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042.”; and

Further amend said bill, Page 9, Section 137.076, Line 5, by inserting after all of said section, the following:

“144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, [2013] **2023**.

182.802. 1. [A] (1) Any public library district located in any of the following counties may impose a tax as provided in this section:

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; [or]

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for the purpose of providing funding for library district?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district."; and

Further amend said bill, Page 10, Section 339.098, Line 3, by inserting after all of said section, the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 5** was adopted.

Representative Flanigan offered **House Amendment No. 6**.

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

“99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) **"Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the President under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., provided that the municipality adopts an ordinance approving the redevelopment project within five years after the President declares such disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)] (6) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

[(6)] (7) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)] (8) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] (9) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] (11) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] (12) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (13) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (14) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (15) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)] (16) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs **and, in the case of a redevelopment area that contains a disaster area, all or a portion of a taxing district's operating costs and its debt service costs** resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
- (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (j) Payments in lieu of taxes;

[(16)] (17) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)] (19) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)] (20) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is:

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met; or

(b) **A blighted area in which a majority of the property is located within a disaster area;**

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible, **provided that, in the case of a redevelopment area that contains a disaster area, such information regarding financial feasibility may be provided by and attested to by the governing body of the municipality;**

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in

subsection 4 or 15 of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the

payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be

available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Beginning August 28, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, the following revenues may be available for appropriation by the general assembly as provided in subsection 21 of this section to the Missouri supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects:

(1) Up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect; and

(2) Any additional state revenues in excess of the amount in subdivision (1) of this subsection, to the extent requested by the department of economic development in accordance with subsection 23 of this section.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after August 28, 2012, appropriations from the state disaster recovery revenues and any additional state revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenues described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The incremental increase in state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas in which a majority of the property is located within disaster areas.

21. The initial appropriation of state disaster recovery revenues and any additional state revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues and any additional state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The estimate of additional state revenues being requested in excess of the amount of state disaster recovery revenues in one or more fiscal years in accordance with subsection 23 of this section;

(e) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(f) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(g) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(h) The estimated redevelopment project costs;

(i) The anticipated sources of funds to pay such redevelopment project costs;

(j) Evidence of the commitments to finance such redevelopment project costs;

(k) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(l) The anticipated type and terms of the obligations to be issued;

(m) The most recent equalized assessed valuation of the property within the redevelopment project area;

(n) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;

(o) The general land uses to apply in the redevelopment area;

(p) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;

(q) The total number of full-time equivalent positions in the redevelopment area;

(r) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;

(s) A list of other community and economic benefits to result from the redevelopment project;

(t) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;

(u) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(v) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(w) A market study for the redevelopment area;

(x) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;

(3) The appropriation may be made from one or more of the following sources, as approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;

(a) The estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area;

(b) The estimate of the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application; and

(c) Any additional amount requested by the department of economic development in accordance with subsection 23 of this section, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee.

(4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster

recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project and any additional state revenues shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues and any additional state revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year of additional state revenues from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 21 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;
- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area and a separate entry for any additional state revenues received in accordance with subsection 23 of section 99.845;

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects. Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting.”; and

Further amend said bill, Page 10, Section 339.098, Line 3, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to provide tax relief as the result of the recent natural disasters in this state, sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 6** was adopted.

Representative Hinson offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 137.076, Line 5, by inserting after all of said section and line, the following:

"[650.325.] **190.411.** There is hereby established within the department of public safety the "[Advisory Committee for] 911 Service Oversight **Board**" which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The [committee for] 911 service oversight **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state.

[650.330.] **190.415.** 1. The [committee for] 911 service oversight **board** shall consist of [sixteen] **seven** members, one of [which] **whom** shall be [chosen from] **the director of** the department of public safety **or the director's designee**, who shall serve as chair of the [committee] **board** and only vote in the instance of a tie vote among the other members, and the other members shall be selected as follows:

(1) [One member chosen to represent an association domiciled in this state whose primary interest relates to counties;

(2) One member chosen to represent the Missouri public service commission;

(3)] One member chosen to represent emergency medical services;

[(4)] (2) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

[(5)] (3) One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

[(6)] (4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

[(7)] (5) One member chosen to represent an association whose primary interest relates to issues pertaining to [police chiefs] **law enforcement officials; and**

[(8) One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;

(9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

(10) One member chosen to represent 911 service providers in counties of the second, third and fourth classification;

(11) One member chosen to represent 911 service providers in counties of the first classification, with and without charter forms of government, and cities not within a county;

(12)] (6) One member chosen to represent telecommunications service providers with [at least one hundred thousand] access lines located within Missouri];

(13) One member chosen to represent telecommunications service providers with less than one hundred thousand access lines located within Missouri;

(14) One member chosen to represent a professional association of physicians who conduct with emergency care; and

(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers].

2. Each of the members of the [committee for] 911 service oversight **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years]; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years]. Members of the [committee] **board** may serve multiple terms.

3. The [committee for] 911 service oversight **board** shall meet at least quarterly at a place and time specified by the chairperson of the [committee] **board** and it shall keep and maintain records of such meetings, as well as the other

activities of the [committee] **board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the [committee] **board**.

4. The [committee for] 911 service oversight **board** shall:
 - (1) Organize and adopt standards governing the [committee's] **board's** formal and informal procedures;
 - (2) Provide recommendations for primary answering points and secondary answering points on statewide technical and operational standards for 911 services;
 - (3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;
 - (4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such [committee] **board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;
 - (5) Provide assistance to the governor and the general assembly regarding 911 services;
 - (6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;
 - (7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;
 - (8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state; and
 - (9) Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections [650.320 to 650.340] **190.400 to 190.445**.

5. The department of public safety shall provide staff assistance to the [committee for] 911 service oversight **board** as necessary in order for the [committee] **board** to perform its duties pursuant to sections [650.320 to 650.340] **190.400 to 190.445**.

6. The department of public safety is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within section [650.340] **190.445**. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[650.340.] **190.445**. 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

- (1) Police telecommunicator. 16 hours;
- (2) Fire telecommunicator. 16 hours;
- (3) Emergency medical services telecommunicator. 16 hours;
- (4) Joint communication center telecommunicator. 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the [committee] **board** that such person has completed training in another state which are at least as stringent as the training requirements of subsection 2 of this section.

6. The department of public safety shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides

prearrival medical instructions who works for [an] **a dispatch** agency which meets the requirements set forth in section 190.134.”; and

Further amend said bill, Page 10, Section 250.140, Line 34, by inserting after all of said section and line, the following:

“302.291. 1. The director, having good cause to believe that an operator is incompetent or unqualified to retain his or her license, after giving ten days' notice in writing by certified mail directed to such person's present known address, may require the person to submit to an examination as prescribed by the director. Upon conclusion of the examination, the director may allow the person to retain his or her license, may suspend, deny or revoke the person's license, or may issue the person a license subject to restrictions as provided in section 302.301. If an examination indicates a condition that potentially impairs safe driving, the director, in addition to action with respect to the license, may require the person to submit to further periodic examinations. The refusal or neglect of the person to submit to an examination within thirty days after the date of such notice shall be grounds for suspension, denial or revocation of the person's license by the director, an associate circuit or circuit court. Notice of any suspension, denial, revocation or other restriction shall be provided by certified mail. As used in this section, the term "denial" means the act of not licensing a person who is currently suspended, revoked or otherwise not licensed to operate a motor vehicle. Denial may also include the act of withdrawing a previously issued license.

2. The examination provided for in subsection 1 of this section may include, but is not limited to, a written test and tests of driving skills, vision, highway sign recognition and, if appropriate, a physical and/or mental examination as provided in section 302.173.

3. The director shall have good cause to believe that an operator is incompetent or unqualified to retain such person's license on the basis of, but not limited to, a report by:

(1) Any certified peace officer;

(2) Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334; any chiropractic physician licensed pursuant to chapter 331; any registered nurse licensed pursuant to chapter 335; any psychologist, social worker or professional counselor licensed pursuant to chapter 337; any optometrist licensed pursuant to chapter 336; **any emergency medical technician licensed under chapter 190**; or

(3) Any member of the operator's family within three degrees of consanguinity, or the operator's spouse, who has reached the age of eighteen, except that no person may report the same family member pursuant to this section more than one time during a twelve-month period. The report must state that the person reasonably and in good faith believes the driver cannot safely operate a motor vehicle and must be based upon personal observation or physical evidence which shall be described in the report, or the report shall be based upon an investigation by a law enforcement officer. The report shall be a written declaration in the form prescribed by the department of revenue and shall contain the name, address, telephone number, and signature of the person making the report.

4. Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334, any chiropractor licensed pursuant to chapter 331, any registered nurse licensed pursuant to chapter 335, any psychologist, social worker or professional counselor licensed pursuant to chapter 337, or any optometrist licensed pursuant to chapter 336, **or any emergency medical technician licensed under chapter 190** may report to the department any patient diagnosed or assessed as having a disorder or condition that may prevent such person from safely operating a motor vehicle. Such report shall state the diagnosis or assessment and whether the condition is permanent or temporary. The existence of a physician-patient relationship shall not prevent the making of a report by such medical professionals.

5. Any person who makes a report in good faith pursuant to this section shall be immune from any civil liability that otherwise might result from making the report. Notwithstanding the provisions of chapter 610 to the contrary, all reports made and all medical records reviewed and maintained by the department of revenue pursuant to this section shall be kept confidential except upon order of a court of competent jurisdiction or in a review of the director's action pursuant to section 302.311.

6. The department of revenue shall keep records and statistics of reports made and actions taken against driver's licenses pursuant to this section.

7. The department of revenue shall, in consultation with the medical advisory board established by section 302.292, develop a standardized form and provide guidelines for the reporting of cases and for the examination of drivers pursuant to this section. The guidelines shall be published and adopted as required for rules and regulations pursuant to chapter 536. The department of revenue shall also adopt rules and regulations as necessary to carry out the other provisions of this section. The director of revenue shall provide health care professionals and law enforcement officers with information about the procedures authorized in this section. The guidelines and regulations implementing this section shall be in compliance with the federal Americans with Disabilities Act of 1990.

8. Any person who knowingly violates a confidentiality provision of this section or who knowingly permits or encourages the unauthorized use of a report or reporting person's name in violation of this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

9. Any person who intentionally files a false report pursuant to this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

10. All appeals of license revocations, suspensions, denials and restrictions shall be made as required pursuant to section 302.311 within thirty days after the receipt of the notice of revocation, suspension, denial or restriction.

11. Any individual whose condition is temporary in nature as reported pursuant to the provisions of subsection 4 of this section shall have the right to petition the director of the department of revenue for total or partial reinstatement of his or her license. Such request shall be made on a form prescribed by the department of revenue and accompanied by a statement from a health care provider with the same or similar license as the health care provider who made the initial report resulting in the limitation or loss of the driver's license. Such petition shall be decided by the director of the department of revenue within thirty days of receipt of the petition. Such decision by the director is appealable pursuant to subsection 10 of this section.

302.800. 1. For purposes of this section, the following terms mean:

- (1) "Department", the department of revenue;**
- (2) "Director", the director of the department of revenue;**
- (3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;**
- (4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.**

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

(1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;

(2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;

(3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and

(4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

320.106. As used in sections 320.106 to 320.161, unless clearly indicated otherwise, the following terms mean:

(1) "American Pyrotechnics Association (APA), Standard 87-1", or subsequent standard which may amend or supersede this standard for manufacturers, importers and distributors of fireworks;

(2) "Chemical composition", all pyrotechnic and explosive composition contained in fireworks devices as defined in American Pyrotechnics Association (APA), Standard 87-1;

(3) "Consumer fireworks", explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UN0336, [1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172;**

(4) "Discharge site", the area immediately surrounding the fireworks mortars used for an outdoor fireworks display;

(5) "Dispenser", a device designed for the measurement and delivery of liquids as fuel;

(6) "Display fireworks", explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, **UN0333 or UN0334 or UN0335**, [1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172;**

(7) "Display site", the immediate area where a fireworks display is conducted, including the discharge site, the fallout area, and the required separation distance from mortars to spectator viewing areas, but not spectator viewing areas or vehicle parking areas;

(8) "Distributor", any person engaged in the business of selling fireworks to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies that possess the necessary permits as specified in sections 320.106 to 320.161, including any person that imports any fireworks of any kind in any manner into the state of Missouri;

(9) "Fireworks", any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations[, and American Pyrotechnics Association 87-1 standards];

(10) "Fireworks season", the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

(11) "Jobber", any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri to nonlicensed buyers for use and distribution outside the state of Missouri during a calendar year from the first day of January through the thirty-first day of December;

(12) "Licensed operator", any person who supervises, manages, or directs the discharge of outdoor display fireworks, either by manual or electrical means; who has met additional requirements established by promulgated rule and has successfully completed a display fireworks training course recognized and approved by the state fire marshal;

(13) "Manufacturer", any person engaged in the making, manufacture, assembly or construction of fireworks of any kind within the state of Missouri;

- (14) "NFPA", National Fire Protection Association, an international codes and standards organization;
- (15) "Permanent structure", buildings and structures with permanent foundations other than tents, mobile homes, and trailers;
- (16) "Permit", the written authority of the state fire marshal issued pursuant to sections 320.106 to 320.161 to sell, possess, manufacture, discharge, or distribute fireworks;
- (17) "Person", any corporation, association, partnership or individual or group thereof;
- (18) "Proximate fireworks", a chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation, as [defined by the most current edition of the American Pyrotechnics Association (APA), Standard 87-1, section 3.8, specific requirements for theatrical pyrotechnics] **classified within 49 CFR Part 172 as UN0431 or UN0432**;
- (19) "Pyrotechnic operator" or "special effects operator", an individual who has responsibility for pyrotechnic safety and who controls, initiates, or otherwise creates special effects for proximate fireworks and who has met additional requirements established by promulgated rules and has successfully completed a proximate fireworks training course recognized and approved by the state fire marshal;
- (20) "Sale", an exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals;
- (21) "Seasonal retailer", any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined by subdivision (10) of this section;
- (22) "Wholesaler", any person engaged in the business of making sales of consumer fireworks to any other person engaged in the business of making sales of consumer fireworks at retail within the state of Missouri.

320.131. 1. It is unlawful for any person to possess, sell or use within the state of Missouri, or ship into the state of Missouri, except as provided in section 320.126, any pyrotechnics commonly known as "fireworks" and defined as consumer fireworks in subdivision (3) of section 320.106 other than items now or hereafter classified as fireworks UNO336, 1.4G by the United States Department of Transportation that comply with the construction, chemical composition, labeling and other regulations relative to consumer fireworks regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public pursuant to such commission's regulations.

2. No wholesaler, jobber, or seasonal retailer, or any other person shall sell, offer for sale, store, display, or have in their possession any consumer fireworks that have not been approved as fireworks UNO336, 1.4G by the United States Department of Transportation.

3. No jobber, wholesaler, manufacturer, or distributor shall sell to seasonal retailer dealers, or any other person, in this state for the purpose of resale, or use, in this state, any consumer fireworks which do not have the numbers and letter "1.4G" printed within an orange, diamond-shaped label printed on or attached to the fireworks shipping carton.

4. This section does not prohibit a manufacturer, distributor or any other person **possessing the proper permits as specified by state and federal law** from storing, selling, shipping or otherwise transporting display or proximate fireworks[, defined as fireworks UNO335, 1.3G/UNO431, 1.4G or UNO432, 1.4S by the United States Department of Transportation, provided they possess the proper permits as specified by state and federal law].

5. Matches, toy pistols, toy canes, toy guns, party poppers, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound, provided that they are so constructed that the hand cannot come into contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty-five hundredths grains of explosive mixture shall be permitted for sale and use at all times and shall not be regulated by the provisions of sections 320.106 to 320.161.

320.136. Ground salutes commonly known as "cherry bombs", "M-80's", "M-100's", "M-1000's", and any other tubular salutes or any items described as prohibited chemical components or forbidden devices as listed in the American Pyrotechnics Association Standard 87-1 or which exceed the [federal] limits set for **consumer fireworks** [UNO336, 1.4G formerly known as class C common fireworks, display fireworks UNO335, 1.3F, and proximate fireworks UNO431, 1.4F/UNO432, 1.4S by the United States Department of Transportation], **display fireworks, or proximate fireworks** for explosive composition are expressly prohibited from shipment into, manufacture, possession, sale, or use within the state of Missouri for consumer use. Possession, sale, manufacture, or transport of this type of illegal explosive shall be punished as provided by the provisions of section 571.020.

320.202. 1. There is hereby established within the department of public safety a "Division of Fire Safety", which shall have as its chief executive officer the fire marshal appointed under section 320.205. The fire marshal and the division shall be responsible for:

- (1) The voluntary training of firefighters, investigators, inspectors, and public or private employees or volunteers in the field of emergency response, rescue, fire prevention or preparedness;
- (2) Establishing and maintaining a statewide reporting system, which shall, as a minimum, include the records required by section 320.235 and a record of all fires occurring in Missouri showing:
 - (a) The name of all owners of personal and real property affected by the fire;
 - (b) The name of each occupant of each building in which a fire occurred;
 - (c) The total amount of insurance carried by, the total amount of insurance collected by, and the total amount of loss to each owner of property affected by the fire; and
 - (d) All the facts, statistics and circumstances, including, but not limited to, the origin of the fire, which are or may be determined by any investigation conducted by the division or any local firefighting agency under the laws of this state. All records maintained under this subdivision shall be open to public inspections during all normal business hours of the division;
- (3) Conducting all investigations of fires mandated by sections 320.200 to 320.270;
- (4) Conducting all fire inspections required of any private premises in order for any license relating to such private premises to be issued under any licensing law of this state, except those organizations and institutions licensed pursuant to chapter 197;
- (5) Establishing and maintaining a voluntary training and certification program based upon nationally recognized standards. A certification testing fee and recertification fee shall be established by promulgated rules and regulations by the state fire marshal under the provisions of section 536.024. Fees collected shall be deposited into the [general revenue] **fire education fund established in section 320.094.**

2. The state fire marshal shall exercise and perform all powers and duties necessary to carry out the responsibilities imposed by subsection 1 of this section, including, but not limited to, the power to contract with any person, firm, corporation, state agency, or political subdivision for services necessary to accomplish any of the responsibilities imposed by subsection 1 of this section.

3. The state fire marshal shall have the authority to promulgate rules and regulations under the provisions of section 536.024 to carry out the provisions of this section.

321.015. 1. No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to:

- (1) Members of the organized militia, of the reserve corps, public school employees and notaries public; [, or to]
- (2) Fire protection districts located wholly within counties of the second, third or fourth [class or] classification;
- (3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;
- (4) Fire protection districts located within [first class] counties **of the first classification** not adjoining any other [first class] county **of the first classification**; [, nor shall this section apply to]
- (5) Fire protection districts located within any county of the first or second [class] classification not having more than nine hundred thousand inhabitants which borders any three [first class] counties **of the first classification**; [nor shall this section apply to]
- (6) Fire protection districts located within any [first class] county **of the first classification** [without a charter form of government] which adjoins both a [first class] charter county [with a charter form of government] with at least nine hundred thousand inhabitants, and adjoins at least four other counties;
- (7) **Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.**

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.

321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least one year before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

5. Any director who has been found guilty of or pled guilty to any felony offense shall immediately forfeit his or her office.

6. No person shall be qualified to serve as a director, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid or past due county taxes.

321.162. 1. **In addition to the qualifications prescribed by law**, all members of the board of directors of a fire protection district first elected **or appointed** on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of a fire protection district director;
- (2) A review of all state statutes and regulations relevant to fire protection districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session.

321.228. 1. As used in this section, the following terms shall mean:

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.

321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part**, as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the Fire Protection Districts and the Fire Protection District be consolidated into one fire protection district to be known as the Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund cents per one hundred dollars assessed valuation; ambulance service cents per one hundred dollars assessed valuation; pension fund cents per one hundred dollars assessed valuation; and dispatching fund cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners.

321.711. 1. A recall petition shall be filed with the election authority not more than one hundred eighty days after the filing of the notice of intention.

2. The number of qualified signatures required in order to recall an officer shall be equal in number to at least [twenty-five] **twenty** percent of the number of voters who voted in the most recent gubernatorial election in that district.

3. Within twenty days from the filing of the recall petition the election authority shall determine whether or not the petition was signed by the required number of qualified signatures. The election authority shall file with the petition a certificate showing the results of the examination. The authority shall give the proponents a copy of the certificate upon their request.

4. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certificate by filing additional petition sections containing all of the information required by section 321.709 and this section. Within ten days after the supplemental copies are filed, the election authority shall file with it a certificate stating whether or not the petition as supplemented is sufficient.

5. If the certificate shows that the petition as supplemented is insufficient, no action shall be taken on it; however, the petition shall remain on file.”; and

Further amend said bill and page, Section 339.098, Line 3, by inserting after all of said section and line, the following:

“577.029. A licensed physician, registered nurse, or trained **in hospital** medical technician, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her.

Section 1. 1. For purposes of this act, the term "anemometer" means an instrument for measuring and recording the speed of the wind, and the term "anemometer tower" means a structure, including all guy wires and accessory facilities, on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator.

2. Any anemometer tower that is fifty feet in height above the ground or higher, that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before the effective date of this act shall be marked as required in this section within one year after the effective date of this act. Any anemometer tower that is erected on or after the effective date of this act shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced. For purposes of this section, the term, area surrounding the anchor point, means an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point. A violation of this section is a class C misdemeanor.

[190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

(1) "911", the primary emergency telephone number within the wireless system;

(2) "Board", the wireless service provider enhanced 911 advisory board;

(3) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

(4) "Public safety answering point", the location at which 911 calls are initially answered;

(5) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).]

[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;

(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.]

[190.420. 1. There is hereby established in the state treasury a fund to be known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees collected pursuant to sections 190.400 to 190.440 by wireless service providers shall be remitted to the director of the department of revenue. The director shall remit such payments to the state treasurer.

2. The state treasurer shall deposit such payments into the wireless service provider enhanced 911 service fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the wireless service provider enhanced 911 system.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.]

[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All

rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.]

[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or

rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.]

[650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Committee", the advisory committee for 911 service oversight established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are initially answered;

(3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.]

Section B. Because immediate action is necessary to ensure compliance with federal regulations prior to the sale of fireworks for the Independence Day holiday, sections 320.106, 320.131, and 320.136 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 320.106, 320.131, and 320.136 of section A this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 7** was adopted.

Representative Gatschenberger offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 137.076, Line 5, by inserting after all of said section and line the following:

“188.125. 1. It is the intent of the general assembly to acknowledge the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference, and that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect such rights.

2. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling,

referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.

3. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

4. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to any other remedies permitted by law.

5. As used in this section, "alternatives-to-abortion agency" means:

- (1) A maternity home as defined in section 135.600;
- (2) A pregnancy resource center as defined in section 135.630; or
- (3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 8** was adopted.

Representative Torpey offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting immediately after said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current

equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of

economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

- (b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;
- (c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;
- (d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;
- (e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;
- (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and
- (g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;
- (h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;
- (i) The street address of the development site;
- (j) The three-digit North American Industry Classification System number or numbers characterizing the development project;
- (k) The estimated development project costs;
- (l) The anticipated sources of funds to pay such development project costs;
- (m) Evidence of the commitments to finance such development project costs;
- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
- (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
- (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schieber offered **House Amendment No. 1 to House Amendment No. 9.**

House Amendment No. 1
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Line 7, by inserting after all of said line the following:

‘Further amend said bill, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

“135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, **if said political subdivision or municipality levies ad valorem taxes**, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one

or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, **if said political subdivision or municipality levies ad valorem taxes**, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieber, **House Amendment No. 1 to House Amendment No. 9** was adopted.

On motion of Representative Torpey, **House Amendment No. 9, as amended**, was adopted.

Representative Zerr offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

“135.680. 1. As used in this section, the following terms shall mean:

(1) "Adjusted purchase price", the product of:

(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and

(b) The following fraction:

a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and

b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;

c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;

(2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;

(3) "Credit allowance date", with respect to any qualified equity investment:

(a) The date on which such investment is initially made; and

(b) Each of the six anniversary dates of such date thereafter;

(4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;

(5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;

(6) "Qualified community development entity", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;

(7) "Qualified equity investment", any equity investment in, or long-term debt security issued by, a qualified community development entity that:

(a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;

(b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and

(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;

(8) "Qualified low-income community investment", any capital or equity investment in, or loan to, any qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of

paragraph (b) of subdivision (1) of this subsection shall be ten million dollars whether issued to one or several qualified community development entities;

(9) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;

(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.

2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.

4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:

(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.

5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the allocation of tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.

6. For fiscal years following fiscal year [2010] **2015**, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year [2010] **2015**, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date.

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, [2007] **2012**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 10** was adopted.

Representative Hough offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said line the following:

“1.340. No provision of a statute shall require or allow for the extension or reauthorization by resolution or concurrent resolution of a credit against a tax of general applicability. Such provision shall be null and void in its entirety, but the remaining subsections of that statute shall remain in effect.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad offered **House Amendment No. 1 to House Amendment No. 11**.

*House Amendment No. 1
to
House Amendment No. 11*

AMEND House Amendment No. 11 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Line 6, by inserting after all of said line the following:

‘Further amend said bill, Page 10, Section 339.098, Line 3, by inserting after all of said line the following:

“589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is exempted from registering under subsection 8 of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia**, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

- (1) All offenses requiring registration are reversed, vacated or set aside;
- (2) The registrant is pardoned of the offenses requiring registration;
- (3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or

(4) The registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the court orders the removal or exemption of such person from the registry.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, **or sexual misconduct in the second degree** and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which

the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

8. Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

9. (1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

10. Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of subsection 9 of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection 9 of this section.

11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1 to House Amendment No. 11** was adopted.

On motion of Representative Hough, **House Amendment No. 11, as amended**, was adopted.

Representative Lasater offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 7, Section 71.015, Line 137, by inserting after all of said section and line the following:

“79.050. 1. The following officers shall be elected by the qualified voters of the city, and shall hold office for the term of two years, except as otherwise provided in this section, and until their successors are elected and qualified, to wit: mayor and board of aldermen. The board of aldermen may provide by ordinance, after the approval of a majority of the voters voting at an election at which the issue is submitted, for the appointment of a collector and for the appointment of a chief of police, who shall perform all duties required of the marshal by law, and any other police officers found by the board of aldermen to be necessary for the good government of the city. The marshal or chief of police shall be twenty-one years of age or older. **Except as provided in subsection 4 of this section**, if the board of aldermen does not provide for the appointment of a chief of police and collector as provided by this section, a city marshal, who shall be twenty-one years of age or older, and collector shall be elected[, and]. The board of aldermen may provide by ordinance that the same person may be elected marshal and collector, at the same election, and hold both offices and the board of aldermen may provide by ordinance for the election of city assessor, city attorney, city clerk and street commissioner, who shall hold their respective offices for a term of two years and until their successors shall be elected or appointed and qualified, except that the term of the city marshal shall be four years.

2. The board of aldermen may provide by ordinance, after the approval of a majority of the voters voting thereon at the next municipal election at which the issue is submitted, that the term of the collector shall be four years and the term of the mayor shall be two, three, or four years. Any person elected as collector after the passage of such an ordinance shall serve for a term of four years and until his successor is elected and qualified. Any person elected as mayor after the passage of such ordinance shall serve for a term of two, three, or four years, as provided, and until his successor is elected and qualified.

3. The board of aldermen may provide by ordinance that the term of the board of aldermen shall be four years. Such ordinance shall be submitted by the board to the voters of the city and shall take effect only upon the approval of a majority of the voters voting at an election at which the issue is submitted. Any person elected to the board of aldermen after the passage of such an ordinance shall serve for a term of four years and until his successor is elected and qualified.

4. In any city of the fourth classification with more than three thousand three hundred but fewer than three thousand seven hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the board of aldermen may provide by ordinance that the city marshal or chief of police shall be appointed instead of elected.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lasater, **House Amendment No. 12** was adopted.

Representative Cookson offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after said line the following:

“67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than [five thousand nine hundred but fewer than six thousand inhabitants] **six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat** may impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [or], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room, **RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room, **RV site, or campsite** and all other taxes imposed by law,

and [fifty percent of] the proceeds of such tax shall be used [by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used] to fund the promotion, **operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [and], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in (name of county) at a rate of (insert rate of percent) percent for the [benefit of the county] **promotion, operation, and development of tourism?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cookson, **House Amendment No. 13** was adopted.

Representative Wells offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 10, Section 250.140, Line 34, by inserting after all of said line the following:

“**320.400. As used in sections 320.400 to 320.416, the following terms shall mean:**

- (1) "Certificate of registration", the document issued to a contractor under sections 320.400 to 320.416;
- (2) "Contractor", an organization that offers to undertake, represents itself as being able to undertake, or does undertake the design, planning, installation, or servicing of a fire sprinkler system or any part of such a system for pay;
- (3) "Fire sprinkler system", a suppression system which requires individual calculation and layout in accordance with nationally recognized standards, such as those of the National Fire Protection Association, to protect the interior or exterior of a specific building, structure, or special hazard from fire by conveying water, with or without other agents, to dispersal openings or devices. Such systems also include any overhead and underground fire mains beginning at the point of service, fire hydrants and hydrant mains, standpipes and hoses connected to sprinkler systems, sprinkler tank heaters, air lines, thermal systems used in connection with fire sprinkler systems, and tanks and pumps connected to fire sprinkler systems;
- (4) "Inspection", a visual examination of a fire sprinkler system or portion thereof to verify that it appears to be in operating condition and is free of physical damage;
- (5) "Installation", the initial placement of fire sprinkler equipment or the extension, modification, or alteration of equipment after the initial placement, and includes the inspection and testing of equipment attendant to the placement or alteration of fire sprinkler equipment;
- (6) "NICET", National Institute of Certification in Engineering Technologies;
- (7) "Organization", a corporation, a partnership or other business association, a sole proprietorship, a governmental entity, or any other legal or commercial entity;
- (8) "Person", a natural person, including an owner, manager, officer, employee, or occupant;
- (9) "Point of service", the point at which the underground piping for a sprinkler system using water as the extinguishing agent becomes used exclusively for the sprinkler system;
- (10) "Registered firm", an organization holding a valid certificate of registration issued under sections 320.400 to 320.416;
- (11) "Service", to inspect, test, or repair fire sprinkler equipment in order to furnish or return the fire sprinkler system to operational condition, and including maintenance contracts;

(12) "Special agent fire suppression system", an approved system, and components thereof, which requires individual calculations and layout in accordance with the manufacturer's instructions to determine the flow rates, nozzle pressures, quantities of extinguishing agent, and number and types of nozzles for protecting one or more hazards by suppressing or extinguishing fire. These systems include kitchen hood fire suppression systems, dry chemical systems, carbon dioxide systems, halogenated and gaseous agent systems, foam systems, and wet chemical systems not connected to fire sprinkler systems. Special agent fire suppression systems shall not include a fire sprinkler system.

320.402. 1. Any contractor who engages in the installation of fire sprinkler systems or services fire sprinkler systems may register with the state fire marshal for a certificate of registration.

2. The provisions of sections 320.400 to 320.416 and the rules and regulations promulgated under sections 320.400 to 320.416 shall have uniform force and effect throughout the state. A municipality, county, or any other local governmental body or jurisdiction may enact or enforce registration or licensing requirements, and the registration provisions of sections 320.400 to 320.416 shall not supercede them.

3. A municipality, county, or any other local governmental body or jurisdiction may require a contractor to obtain a permit and pay a fee for the installation of a fire sprinkler system and require the installation of such system in conformance with the building code or other construction requirements of the municipality, county, or any other local governmental body or jurisdiction.

320.406. 1. The state fire marshal is authorized to promulgate rules and regulations regarding:

(1) The content of applications and the procedures for filing an application for an initial or renewal certificate of registration in this state;

(2) All applicable fees, set at a level to produce revenue which shall not exceed the cost and expense of administering the provisions of sections 320.400 to 320.416;

(3) Establishment of procedures for granting reciprocity with other states.

2. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

320.408. 1. One of the following requirements shall be fulfilled in order to obtain a certificate of registration from the state fire marshal:

(1) The applicant shall employ or contract with a person with a bachelors of science degree in fire protection engineering from an accredited university, from which the employee shall have received training in design, planning, and installation of fire sprinkler systems, or such employee shall be a professional engineer licensed in the state of Missouri;

(2) The applicant shall employ or contract with a person with a NICET Level IV certification in the automatic sprinkler system layout subfield demonstrating the certified person has received training in design, planning, and installation of fire sprinkler systems; or

(3) The applicant shall employ or contract with a person with a NICET Level III certification in the automatic sprinkler system layout subfield demonstrating the certified person has received training in design, planning, and installation of fire sprinkler systems.

2. Any organization that holds a certificate of registration in this state under sections 320.400 to 320.416 may use the title "Missouri state certified fire sprinkler contractor". No other person or organization may use the title "Missouri state certified fire sprinkler contractor". No other person or organization shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person or organization using the same is a Missouri state certified fire sprinkler contractor.

3. A certificate of registration shall be valid for a period of two years from the date of issue and is renewable biennially on payment of a fee; provided however, that the initial certificates of registration issued on or after August 28, 2012, may be issued for periods of less than two years and the fee shall be prorated proportionally.

4. A fee shall be charged by the state fire marshal for any request for a duplicate certificate of registration or any request requiring change to a certificate of registration. The fee shall be set by the fire marshal.

5. Each contractor holding itself out as a "Missouri state certified fire sprinkler contractor" shall display its certificate of registration issued under sections 320.400 to 320.416 in a conspicuous place in the contractor's place of business.

6. Plans, bids, proposals, offers, and installation drawings for fire sprinkler systems may display the contractor's certificate of registration number.

7. A certificate of registration issued under sections 320.400 to 320.416 shall not be transferable.

8. There is hereby created in the state treasury the "Fire Sprinkler Contractor Registration Fund", which shall consist of money collected under sections 320.400 to 320.416. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of sections 320.400 to 320.416. Any money remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

320.410. 1. As provided in subsection 3 of section 320.408, each renewal of a certificate of registration issued under sections 320.400 to 320.416 is valid for a period of two years. The certificate of registration fee is payable on renewal.

2. At least thirty days before the expiration of a certificate of registration, the state fire marshal shall send written notice of the impending certificate of registration expiration to the registrant at the last known address.

3. The state fire marshal may, by rule, adopt a system under which certificates of registration expire on various dates during the year. When the certificate of registration expiration date is less than two years from its issuance or anniversary date, the fee shall be prorated on a monthly basis so that each registrant shall pay only that portion of the fee that is allocable to the number of months during which the registration is valid. On each subsequent renewal, the total renewal fee is payable.

320.412. The state fire marshal shall not issue a certificate of registration under sections 320.400 to 320.416 unless the applicant files evidence of a general liability insurance policy that includes products and completed operations coverage. The limits of insurance coverage required by this section shall be in an amount not less than one million dollars aggregate for all occurrences per policy year. The general liability policy shall be conditioned to pay on behalf of the insured those amounts that the insured is legally obligated to pay as damages because of bodily injury and property damage caused by an occurrence involving the insured or the insured's servant, officer, agent, or employee in the conduct of any business registered under sections 320.400 to 320.416.

320.414. 1. The state fire marshal may refuse to issue any certificate of registration or renew any certificate of registration required by one or any provisions of sections 320.400 to 320.416 for one or any combination of reasons stated in subsection 2 of this section. The state fire marshal shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided in chapter 621.

2. The state fire marshal may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against the holder of any certificate of registration required by sections 320.400 to 320.416 or for any one or any combination of the following causes:

(1) Use of fraud, deception, misrepresentation, or bribery in securing a certificate issued pursuant to the provisions of sections 320.400 to 320.416;

(2) Impersonation of any organization holding a certificate or allowing any person or organization to use his or her certificate;

(3) Disciplinary action against the holder of a certificate by another state, territory, federal agency, or country upon grounds for which revocation or suspension is authorized in this state;

(4) Issuance of a certificate based upon a material mistake of fact;

(5) The person or organization has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of any profession regulated under sections 320.400 to 320.416, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(6) Incompetence, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions or duties of the profession that is regulated by sections 320.400 to 320.416;

(7) Violation of, or assisting or enabling any person or organization to violate, any provision of sections 320.400 to 320.416, or any lawful rule or regulation adopted pursuant to such sections;

(8) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(9) Operating without at least one million dollars in liability insurance coverage.

3. After the filing of a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the state fire marshal may, singly or in combination, censure or place the person or organization named in the complaint on probation on such terms and conditions as the state fire marshal deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the certificate of registration of the person or organization. An individual whose certificate of registration has been revoked shall wait three years from the date of revocation to apply for another certificate. Certification shall be at the discretion of the state fire marshal after compliance with all requirements of sections 320.400 to 320.416 relative to the certification of an applicant for the first time.

4. The state fire marshal shall maintain an information file containing each complaint filed with the state fire marshal relating to a holder of a certificate of registration.

320.416. 1. Upon proper application by the state fire marshal, a court of competent jurisdiction may grant an injunction, restraining order, or other order as may be appropriate to enjoin a person or organization from holding himself, herself, or itself out as a certified fire sprinkler contractor.

2. Any such actions shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any action brought under this section shall be in addition and not in lieu of any penalty provided by law and may be brought concurrently with other actions to enforce sections 320.400 to 320.416.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 14** was adopted.

Representative Kelly (24) offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Section 94.110, Page 7, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 15** was adopted.

Representative Bahr offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

"99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect

to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. [Effective January 1, 2008,] If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. **Except that no municipality which is in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, or a county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, or is located in any such county, shall approve such project, plan, designation, or amendments thereto, unless a majority of the commission members vote to make a recommendation to approve such project, plan, designation, or amendments, or such municipality places the question before the qualified voters of such municipality and the question is approved by a majority of the voters voting thereon at the next regularly scheduled municipal or general election.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bahr moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Johnson offered **House Amendment No. 17.**

House Amendment No. 17

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 10, Section 250.140, Line 34, by inserting after all of said section and line the following:

"262.975. 1. The department of economic development shall build and maintain, by contract or otherwise, a Missouri solar panel manufacturing website with search engine optimization technology. Such

website shall contain content licensed by the department to promote the benefits of locating a solar panel manufacturing facility in Missouri.

2. The website shall be designed to attract domestic or international solar panel manufacturers to Missouri. The department must provide links to the new website from at least three other department of economic development websites, and must include content explaining the benefits of manufacturing solar panels in Missouri.

3. The state of Missouri retains ownership of all content on the website. The website developer is authorized to:

(1) Use all informational content provided by the department of economic development, and apply search engine optimization to the website content to achieve a high search engine ranking; and

(2) Sell advertising on the website to any entity that will benefit from marketing to domestic or international solar panel manufacturers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the website, with the website developer retaining all advertising revenues obtained from such website to provide the financing for such website.

4. If contacted, the website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department;

(2) Demonstrate prior experience with website development projects which increased search engine rankings for the client.

5. If contacted, the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the solar panel manufacturer website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department may have a contract terminated for failure to operate under the department's guidelines for the website. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of economic development may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock

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Redmon	Richardson	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Torpey	Wallingford	Wells	Weter
White	Wieland	Zerr	Mr Speaker	

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Brattin	Brown 50	Colona	Day
Dugger	Fuhr	Guernsey	Hubbard	Hughes
McDonald	McManus	Nasheed	Reiboldt	Riddle
Schad	Still	Thomson	Webb	Wright
Wyatt				

On motion of Representative Johnson, **House Amendment No. 17** was adopted.

Representative Ellinger offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to

the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are** to be appointed as follows:

(a) One member **of a five member board, or two members of a nine member board**, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member **or members** shall be appointed in any manner agreed upon by the affected districts;

(b) Three members **of a five member board, or five members of a nine member board**, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member **of a five member board, or two members of a nine member board**, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, **except that when a nine member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years**, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

- (1) A statement of its primary economic development goals;
- (2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;
- (3) A statement of total expenditures during the preceding calendar year in each of the following categories:
 - (a) Infrastructure improvements;
 - (b) Land and or buildings;
 - (c) Machinery and equipment;
 - (d) Job training investments;
 - (e) Direct business incentives;
 - (f) Marketing;
 - (g) Administration and legal expenses; and
 - (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ellinger, **House Amendment No. 18** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McGeoghegan
McManus	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Brown 50	Colona	Dieckhaus	Ellinger
Fuhr	Guernsey	Hughes	McDonald	McGhee
McNary	McNeil	Morgan	Nasheed	Reiboldt
Riddle	Thomson	Webb		

On motion of Representative Diehl, **HCS SCS SB 510, as amended**, was adopted.

On motion of Representative Diehl, **HCS SCS SB 510, as amended**, was read the third time and passed by the following vote:

AYES: 111

Anders	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Kelley 126	Kelly 24	Klippenstein	Koenig	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McGeoghegan	McGhee	McManus
McNary	Meadows	Nance	Neth	Phillips
Pollock	Quinn	Redmon	Richardson	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Stream	Swinger
Talboy	Thomson	Torpey	Wallingford	Wells
Weter	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 034

Asbury	Bahr	Burlison	Carter	Colona
Conway 14	Keeney	Kirkton	Korman	Leach
Marshall	McCann Beatty	McCreery	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Parkinson	Pierson	Schieber	Schupp	Smith 71
Solon	Sommer	Spreng	Still	Swearingen
Taylor	Walton Gray	Webber	White	

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brattin	Brown 50	Dieckhaus	Ellington
Flanigan	Fuhr	Guernsey	Hughes	Jones 117
McDonald	Molendorp	Nasheed	Nolte	Reiboldt
Riddle	Schad	Webb		

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 112

Allen	Aull	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGeoghegan	McGhee	McManus	McNary
Meadows	Nance	Neth	Nolte	Phillips
Pollock	Quinn	Redmon	Richardson	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 034

Anders	Atkins	Bahr	Carlson	Carter
Colona	Ellinger	Ellington	Kirkton	Koenig
Marshall	May	McCann Beatty	McCreery	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Schupp	Sifton
Smith 71	Sommer	Spreng	Still	Swearingen
Taylor	Walton Gray	Webber	White	

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Barnes	Brattin	Brown 50	Conway 14
Fuhr	Guernsey	Hughes	Jones 63	Jones 117
McDonald	Molendorp	Nasheed	Reiboldt	Riddle
Schad	Webb			

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS HCS HCR 33**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has refused to adopt the Conference Committee Report on **SB 564, as amended**, and requests the House grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 635, as amended**, and has taken up and passed **CCS HCS SCS SB 635**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has refused to adopt the Conference Committee Report on **HCS SB 636, as amended**, and requests the House grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SB 665, as amended**, and has taken up and passed **CCS SS SB 665**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **SS SCS SB 719, as amended**, and has taken up and passed **CCS#2 SS SCS SB 719**.

Emergency clause adopted.

Speaker Pro Tem Schoeller resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1495, relating to reporting of insurance fraud, was taken up by Representative Nance.

On motion of Representative Nance, **SCS HCS HB 1495** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus

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Diehl	Dugger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 004

Ellinger	Ellington	Smith 71	Taylor
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PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Brown 50	Denison	Elmer	Fuhr
Holsman	Hughes	McDonald	Molendorp	Nasheed
Redmon	Riddle	Webb	Wyatt	Mr Speaker

On motion of Representative Nance, **SCS HCS HB 1495** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long

Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 003

Ellinger	Ellington	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 016

Brattin	Brown 50	Dieckhaus	Elmer	Franz
Fuhr	Holsman	Hughes	McDonald	McNary
Nasheed	Newman	Riddle	Webb	Wyatt

Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

SCS HB 1112, relating to life insurance companies, was taken up by Representative Gosen.

On motion of Representative Gosen, **SCS HB 1112** was adopted by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn

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Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Brown 50	Colona	Dieckhaus	Elmer
Fuhr	Guernsey	Holsman	Hughes	Lasater
McDonald	McNary	Nasheed	Riddle	Schneider
Webb	Wyatt			

On motion of Representative Gosen, **SCS HB 1112** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	May	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cierpiot	Colona	Dieckhaus	Elmer
Fuhr	Guernsey	Hughes	Lasater	Long
McCaherty	McDonald	Nasheed	Riddle	Schneider
Webb	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 1042, as amended, relating to the Coordinating Board for Higher Education, was taken up by Representative Thomson.

On motion of Representative Thomson, **SCS HCS HB 1042, as amended**, was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr		

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NOES: 001

Kelly 24

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Brown 116	Colona	Day	Fuhr
Guernsey	Hughes	Lant	McDonald	Nasheed
Riddle	Webb	Wyatt	Mr Speaker	

On motion of Representative Thomson, **SCS HCS HB 1042, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 001

Kelly 24

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Colona	Day	Elmer	Franz
Fuhr	Guernsey	Hughes	McDonald	McNary
Nasheed	Riddle	Scharnhorst	Talboy	Webb
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HCS HB 1400, relating to financial transactions, was taken up by Representative Richardson.

On motion of Representative Richardson, **SS SCS HCS HB 1400** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 001

Ellinger

PRESENT: 000

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ABSENT WITH LEAVE: 013

Brown 50	Colona	Day	Dieckhaus	Fuhr
Guernsey	Hughes	McDonald	Nasheed	Riddle
Webb	Wyatt	Mr Speaker		

On motion of Representative Richardson, **SS SCS HCS HB 1400** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 001

Ellinger

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Colona	Day	Fuhr	Guernsey
Hughes	McDonald	McNary	Nasheed	Pace
Riddle	Scharnhorst	Still	Webb	Wyatt
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 118

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McGeoghegan
McGhee	McManus	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 030

Anders	Carlson	Carter	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kirkton	Lampe
Marshall	May	McCann Beatty	McCreery	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Schupp	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 015

Bernskoetter	Brown 50	Colona	Day	Fuhr
Guernsey	Hughes	McDonald	McNary	Nasheed
Riddle	Scharnhorst	Torpey	Webb	Wyatt

HB 1250, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to third class city primary elections, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, the House concurred in **Senate Amendment No. 1** and **Senate Amendment No. 2** by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Colona	Day	Fuhr	Guernsey
Hughes	McDonald	Nasheed	Pollock	Richardson
Riddle	Webb	Wyatt	Mr Speaker	

On motion of Representative Ruzicka, **HB 1250, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford

Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Colona	Day	Fuhr	Guernsey
Hughes	Kelly 24	McDonald	Nasheed	Riddle
Scharnhorst	Swinger	Webb	Wyatt	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

SS HB 1128, relating to National Guard ribbons and awards, was taken up by Representative Largent.

On motion of Representative Largent, **SS HB 1128** was adopted by the following vote:

AYES: 144

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton

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Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Brown 50	Carlson	Colona	Day
Ellington	Fuhr	Guernsey	Hughes	Loehner
McDonald	Meadows	Nasheed	Riddle	Ruzicka
Scharnhorst	Swearingen	Webb	Wyatt	

On motion of Representative Largent, **SS HB 1128** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Rizzo

Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Ellington	Fuhr
Guernsey	Hughes	Loehner	McDonald	Meadows
Nasheed	Richardson	Riddle	Scharnhorst	Still
Swearingen	Webb	Wyatt	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1103, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to appraisal management company notices, was taken up by Representative Crawford.

On motion of Representative Crawford, the House concurred in **Senate Amendment No. 1** and **Senate Amendment No. 2** by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor

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Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 020

Atkins	Brown 50	Colona	Day	Ellington
Fuhr	Funderburk	Hughes	Jones 63	Lampe
Loehner	Marshall	McDonald	Meadows	Nasheed
Riddle	Scharnhorst	Swearingen	Webb	Wyatt

On motion of Representative Crawford, **HB 1103, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 000

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Ellington	Fuhr
Guernsey	Hughes	Jones 63	Lochner	McDonald
Meadows	Nasheed	Riddle	Scharnhorst	Swearingen
Thomson	Webb	Wyatt	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

SCS HB 1460, relating to court automation fraud, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **SCS HB 1460** was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carlson	Colona	Day	Ellinger
Fuhr	Guernsey	Hughes	Loehner	McDonald
Meadows	Nasheed	Riddle	Sater	Scharnhorst
Stream	Swearingen	Webb	Wyatt	Mr Speaker

On motion of Representative Jones (117), **SCS HB 1460** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Colona	Day	Fuhr	Guernsey
Hughes	Loehner	McCaherty	McDonald	Meadows
Nasheed	Riddle	Scharnhorst	Swearingen	Webb
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

SCS HB 1036, relating to political party emblems on ballots, was taken up by Representative Dugger.

On motion of Representative Dugger, **SCS HB 1036** was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 003

Aull	Ellington	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 021

Atkins	Brown 50	Colona	Cookson	Day
Fuhr	Guernsey	Hughes	Loehner	Marshall
McDonald	Meadows	Nasheed	Riddle	Scharnhorst
Swearingen	Thomson	Webb	Webber	Wyatt
Mr Speaker				

On motion of Representative Dugger, **SCS HB 1036** was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	Wieland	Wright	Zerr	

NOES: 003

Aull	Ellington	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Brown 50	Colona	Day	Ellinger
Fuhr	Guernsey	Hughes	Loehner	McDonald
McGhee	Meadows	Nasheed	Riddle	Sater
Scharnhorst	Swearingen	Webb	White	Wyatt
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HCS HB 1563, as amended, relating to legend drugs, was taken up by Representative Sater.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Cox	Day	Denison
Elmer	Fuhr	Hubbard	Hughes	Loehner
Molendorp	Nasheed	Riddle	Scharnhorst	Spreng
Swearingen	Webb	Wyatt		

On motion of Representative Sater, **SS SCS HCS HB 1563, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot

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Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Day	Denison	Elmer
Fuhr	Hubbard	Hughes	Loehner	Molendorp
Nasheed	Nolte	Riddle	Scharnhorst	Spreng
Swearingen	Webb	Wyatt		

On motion of Representative Sater, **SS SCS HCS HB 1563, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater

Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Fuhr
Guernsey	Hampton	Hubbard	Hughes	Loehner
Molendorp	Nasheed	Riddle	Scharnhorst	Spreng
Swearingen	Wallingford	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Morgan	Nance	Neth	Nolte
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Still	Stream	Swinger	Talboy

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Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Zerr
Mr Speaker				

NOES: 011

Ellington	Hummel	Jones 63	Kirkton	Marshall
McCreery	Montecillo	Newman	Nichols	Oxford
Taylor				

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Colona	Day	Denison	Fuhr
Hubbard	Hughes	Loehner	Long	McNary
Molendorp	Nasheed	Pierson	Riddle	Scharnhorst
Schatz	Spreng	Swearingen	Webb	Wright
Wyatt				

SS SCS HCS HB 1094, as amended, relating to electronic payment of state entities, was taken up by Representative Wieland.

On motion of Representative Wieland, **SS SCS HCS HB 1094, as amended**, was adopted by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Brown 50	Colona	Day	Denison
Fuhr	Funderburk	Hubbard	Hughes	Kander
Keeney	Loehner	Meadows	Molendorp	Nasheed
Riddle	Sater	Schupp	Swearingen	Webb
Wyatt				

On motion of Representative Wieland, **SS SCS HCS HB 1094, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 001

Ellington

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PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Funderburk	Hubbard	Hughes	Keeney
Loehner	Meadows	Molendorp	Nasheed	Riddle
Schneider	Swearingen	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1909, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to aviation jet fuel tax exemption, was taken up by Representative Hoskins.

On motion of Representative Hoskins, the House concurred in **Senate Amendment No. 1** and **Senate Amendment No. 2** by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 50	Colona	Day	Denison
Dugger	Fuhr	Funderburk	Hough	Hubbard
Hughes	Loehner	Meadows	Molendorp	Nasheed
Riddle	Schupp	Swearingen	Webb	Weter
Wyatt				

On motion of Representative Hoskins, **HB 1909, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McNary	McNeil	Montecillo	Morgan
Nance	Neth	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Barnes	Brown 50	Colona	Day	Denison
Dugger	Fuhr	Funderburk	Hubbard	Hughes
Kander	Loehner	McManus	Meadows	Molendorp
Nasheed	Newman	Riddle	Rizzo	Swearingen
Webb	Weter	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS#2 SCS SB 480: Representatives Burlison, Jones (117), Denison, McCreery and Fallert

HCS SCS SB 726: Representatives Wells, Jones (89), Molendorp, Swinger and Talboy

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1329, relating to motor vehicle registration, was taken up by Representative Silvey.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Ellinger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Dugger
Fraker	Fuhr	Guernsey	Higdon	Hughes
Klippenstein	McManus	Molendorp	Nasheed	Riddle
Swearingen	Webb	Weter	Wyatt	

On motion of Representative Silvey, **SS HCS HB 1329** was adopted by the following vote:

AYES: 121

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Davis	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGhee	McNeil	Meadows
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieffer	Schneider
Schupp	Shively	Shumake	Silvey	Smith 71
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Wallingford
Webber	Wells	White	Wright	Zerr
Mr Speaker				

NOES: 022

Anders	Asbury	Bahr	Brattin	Burlison
Cross	Curtman	Ellington	Kander	Koenig
Lasater	Leach	Marshall	McGeoghegan	McNary
Schieber	Schoeller	Sifton	Smith 150	Torpey
Walton Gray	Wieland			

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Guernsey	Higdon	Hughes	Klippenstein
McManus	Molendorp	Nasheed	Nolte	Riddle
Swearingen	Webb	Weter	Wyatt	

On motion of Representative Silvey, **SS HCS HB 1329** was truly agreed to and finally passed by the following vote:

AYES: 122

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Davis	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schupp	Shively	Shumake
Silvey	Smith 71	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Wallingford	Webber	Wells	White
Zerr	Mr Speaker			

NOES: 021

Anders	Asbury	Bahr	Brattin	Burlison
Cross	Curtman	Ellington	Kander	Koenig
Lasater	Leach	Marshall	McNary	Schieber
Schoeller	Sifton	Smith 150	Torpey	Walton Gray
Wieland				

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Guernsey	Hughes	Klippenstein	McManus
Molendorp	Nasheed	Nolte	Riddle	Swearingen
Webb	Weter	Wright	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Davis	Dieckhaus	Diehl	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leara	Lichtenegger	Lochner	Long	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Sommer	Spreng
Still	Stream	Swinger	Taylor	Thomson
Wallingford	Walton Gray	Webber	Wells	White
Wright	Zerr	Mr Speaker		

NOES: 019

Asbury	Bahr	Brattin	Burlison	Cross
Curtman	Ellington	Koenig	Lasater	Leach
Marshall	May	McCreery	McNary	Schieber
Schoeller	Smith 150	Torpey	Wieland	

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 020

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Hughes	Jones 63	Kander	Klippenstein
Molendorp	Nasheed	Nolte	Quinn	Riddle
Swearingen	Talboy	Webb	Weter	Wyatt

SCS HCS HBs 1659 & 1116, as amended, relating to a land bank agency in Kansas City, was taken up by Representative Torpey.

On motion of Representative Torpey, **SCS HCS HBs 1659 & 1116, as amended**, was adopted by the following vote:

AYES: 132

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 015

Asbury	Bahr	Barnes	Brattin	Burlison
Conway 14	Curtman	Ellington	Koenig	Leach
Marshall	Parkinson	Sater	Schad	Schieber

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Hughes	Jones 63	Klippenstein	Molendorp
Nasheed	Riddle	Swearingen	Webb	Weter
Wyatt				

On motion of Representative Torpey, **SCS HCS HBs 1659 & 1116, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCahtery	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 015

Asbury	Bahr	Barnes	Brattin	Burlison
Conway 14	Curtman	Ellington	Koenig	Leach
Marshall	Parkinson	Sater	Schad	Schieber

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Hughes	Jones 63	Klippenstein	Molendorp
Nasheed	Riddle	Swearingen	Walton Gray	Webb
Weter	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 673: Representatives Day, Pollock, Barnes, Schupp and Black

HCS SS SB 854: Representatives Long, Barnes, Silvey, Ellinger and Morgan

BILLS CARRYING REQUEST MESSAGES

HCS SS SB 749, as amended, relating to religious beliefs and convictions, was taken up by Representative Jones (89).

Representative Jones (89) moved that the House refuse to recede from its position on **HCS SS SB 749, as amended**, and grant the Senate a conference.

Representative Brandom moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace

Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Guernsey	Hughes	Jones 63	Klippenstein
Molendorp	Nasheed	Richardson	Riddle	Swearingen
Webb	Weter	Wyatt		

Representative Jones (89) again moved that the House refuse to recede from its position on **HCS SS SB 749, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 668, as amended, relating to taxation and property, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SB 668, as amended**, and grant the Senate a conference.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington

Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Brown 50	Colona	Day	Denison
Dieckhaus	Dugger	Fuhr	Hughes	Jones 63
Klippenstein	Marshall	Molendorp	Nasheed	Riddle
Swearingen	Webb	Weter	Wyatt	

Representative Diehl again moved that the House refuse to recede from its position on **HCS SB 668, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 749: Representatives Jones (89), Crawford, Cox, McCreery and Black

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 464 - Fiscal Review

COMMITTEE REPORTS

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **SCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 727**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1073
AND
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1477**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, with Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 4, Senate Amendment No. 4 as amended, and Senate Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, as amended;
2. The House recede from its position on House Bill No. 1073 and House Committee Substitute for House Bill No. 1477;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ David Sater
/s/ Jason Smith

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Brad Lager
/s/ Mike Parson
/s/ Victor Callahan
/s/ Ryan McKenna

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 498**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 498;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Jason Crowell
/s/ Dan Brown
/s/ Victor Callahan
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Lindell Shumake
/s/ Charlie Davis
/s/ David Day
/s/ Mike Talboy
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 578**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 578, with House Amendment Nos. 1, 2, 3, 4, 5, 6 and 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8 as amended, and House Amendment Nos. 9 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 578, as amended;
2. The Senate recede from its position on Senate Bill No. 578;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 578 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Parson
/s/ Brian Munzlinger
/s/ Kevin Engler
/s/ Robin Wright-Jones
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Stanley Cox
/s/ Chuck Gatschenberger
/s/ Caleb Jones
/s/ Jacob Hummel
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 635**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, with House Amendment Nos. 1, 2, 3 and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, 8 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 635;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce
/s/ Kevin Engler
/s/ Jay Wasson
/s/ Jolie Justus
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Don Phillips
/s/ Don Wells
/s/ Jason Smith
/s/ Jeanette Mott-Oxford
/s/ Mary Nichols

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 636**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 636, with House Amendment Nos. 1, 2 and 4 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 636, as amended;
2. The Senate recede from its position on Senate Bill No. 636;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 636 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph Keaveny
/s/ Jolie Justus
/s/ Jack Goodman
/s/ Bob Dixon
/s/ John Lamping

FOR THE HOUSE:

/s/ John Diehl
/s/ Stanley Cox
/s/ Kevin Elmer
/s/ Jacob Hummel
/s/ Mike Colona

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 665**

The Conference Committee appointed on Senate Substitute for Senate Bill No. 665, with House Amendments Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendments Nos. 4, 5, 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Bill No. 665, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Bill No. 665;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Bill No. 665, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Kevin Engler
/s/ Jay Wasson
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Randy Asbury
/s/ Stanley Cox
/s/ Todd Richardson
/s/ Kevin McManus
/s/ Jacob Hummel

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, May 17, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW

Friday, May 18, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

RULES - PURSUANT TO RULE 25(32)(F)

Friday, May 18, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

HOUSE CALENDAR

SEVENTY-FIFTH DAY, THURSDAY, MAY 17, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 89 - Schoeller
- 2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant

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- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough
- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin
- 20 HCS HB 1846 - Long
- 21 HCS HB 1585 - Cross
- 22 HCS HB 1971 - Schneider
- 23 HB 1690 - May
- 24 HB 1728 - Johnson
- 25 HB 1790 - Torpey
- 26 HCS HB 1970 - Jones (117)
- 27 HB 1144 - Gatschenberger
- 28 HB 1394 - Brandom
- 29 HB 1456 - Black
- 30 HCS HB 1609 - Nasheed
- 31 HCS HB 1612 - Burlison
- 32 HB 2038 - Wallingford
- 33 HCS HB 1877 - Sommer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1328 - Cox
- 2 HCS HB 1922 - Molendorp
- 3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee

HOUSE BILLS FOR THIRD READING - INFORMAL

- 1 HB 1277 - Long
- 2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 55 - Nolte
- 2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

- 1 HCS SB 620 - Gosen
- 2 SCS SB 789 - Cox
- 3 HCS S B 813 - Dieckhaus
- 4 HCS SCS SB 856 - Barnes
- 5 SS SCS SBs 489 & 637, E.C. - Franz
- 6 SS SCS SB 633 - Largent
- 7 SCS SB 788 - Diehl
- 8 HCS SCS SB 655 - Kelly (24)
- 9 HCS SB 667 - Korman
- 10 HCS SCS SB 671, E.C. - Dugger
- 11 HCS SB 557 - Franz
- 12 HCS SB 594 - Pollock
- 13 HCS SCS SB 625 - Jones (117)
- 14 HCS SCS SB 648 - Sommer
- 15 HCS SB 701 - Wright
- 16 HCS SCS SB 722 - Jones (89)
- 17 SB 893 - Richardson
- 18 HCS#2 SCS SB 729, E.C. - Kelly (24)
- 19 HCS SS SCS SB 755 - Cookson
- 20 HCS SCS SB 758 - Black
- 21 HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 - Sater
- 22 SCS SB 835, E.C. - Bernskoetter
- 23 SS SB 464, (Fiscal Review 5/16/12) - Burlison

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1072 - Sater
- 2 SS SCS HCS HB 1150, as amended - Smith (150)
- 3 SS SCS HCS HB 1498 - Hough
- 4 SCS HCS HB 1758 - Long
- 5 SCS HCS#2 HB 1323 - Black
- 6 SS SCS HCS HB 1280 - Korman
- 7 SCS HCS HB 1827 - Richardson
- 8 HCS HB 1171, with SA 1 - Franz
- 9 SS HCS HB 1576, as amended - Largent
- 10 SS SCS HB 1820, E.C. - Asbury
- 11 SS#2 SCS HB 1170, as amended, E.C. - Franz
- 12 SCS HCS HCR 33, E.C. - Bernskoetter

BILLS CARRYING REQUEST MESSAGES

- 1 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868, and HB 1878, as amended (request House take up and pass bill) - Marshall
- 2 SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 (Senate refuses to adopt CCR/ request House grant further conference) - Davis
- 3 HCS SB 636, as amended (Senate refuses to adopt CCR/request House grant further conference) - Diehl

BILLS IN CONFERENCE

- 1 CCR SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
- 2 CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
- 3 CCR HCS SCS SB 569, as amended - Dugger
- 4 CCR SS SCS HB 1073 AND HCS HB 1477, as amended - Sater
- 5 CCR HCS SCS SB 498, as amended, E.C. - Shumake
- 6 HCS SS SCS SB 467, as amended - Cox
- 7 SCS SB 566, with HA 1 & HA 2 - Jones (117)
- 8 HCS SB 455, as amended - Thomson
- 9 CCR HCS SB 578, as amended, E.C. - Cox
- 10 HCS SB 628, as amended - Kelly (24)
- 11 CCR HCS SCS SB 635, as amended (conferees exceed differences), E.C. - Phillips
- 12 SS SCS HCS HB 1402, as amended - Burlison
- 13 HCS SS SCS SB 470, as amended - Burlison
- 14 CCR SS SB 665, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, - Asbury
- 15 HCS SCS SB 485, as amended - Kelly (24)
- 16 HCS SCS SB 711, as amended - Largent
- 17 HCS SB 739, as amended - Cox
- 18 HCS SCS SB 631, as amended, E.C. - Reiboldt
- 19 SB 599, with HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5, E.C. - Dieckhaus
- 20 HCS SCS SB 726, as amended - Wells
- 21 HCS#2 SCS SB 480, as amended - Burlison
- 22 HCS SCS SB 673, as amended, E.C. - Day
- 23 HCS SS SB 854, as amended, E.C. - Long
- 24 HCS SS SB 749, as amended, E.C. - Jones (89)
- 25 HCS SB 668, as amended - Diehl

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl
- 3 SCR 24 - Davis
- 4 SCR 15 - Schieffer

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-FIFTH DAY, THURSDAY, MAY 17, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

For the kingdom is the Lord's: and He is the governor among the nations. (Psalm 22:28)

Eternal Lord of our spirits, we pause in Your presence once again to listen to Your voice and to receive the ministry of Your grace. You are ever calling us to work with You to keep justice and freedom and good will alive in our world. May Your spirit be so real to us that we shall continue to erect in this land a temple of understanding and love to which all citizens may turn for healing and for a helping hand.

We pray that all peoples of Missouri may be open to the leadership of Your spirit. We pray for the Speaker and these representatives of our people. Guide them, sustain them and bless them with courage and faith.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Clara Smith.

The Journal of the seventy-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3262 through House Resolution No. 3301

SUPPLEMENTAL CALENDAR

MAY 17, 2012

THIRD READING OF SENATE BILLS

- 1 HCS SB 721, E.C. - Diehl
 - 2 SS SB 727 - Silvey
-

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SB 464**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

SCS SB 789, relating to DNA profiling, was taken up by Representative Cox.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Sifton	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 023

Brattin	Carter	Curtman	Day	Denison
Diehl	Ellington	Flanigan	Franklin	Funderburk
Holsman	Hughes	Jones 117	Lauer	May
McGhee	McManus	Nasheed	Parkinson	Riddle
Sater	Smith 71	Stream		

On motion of Representative Cox, **SCS SB 789** was truly agreed to and finally passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lasater	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Molendorp	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Colona	Montecillo	Pace	Spreng	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 021

Carter	Curtman	Day	Dieckhaus	Diehl
Ellington	Flanigan	Frederick	Funderburk	Hughes
Largent	Lauer	May	McManus	Meadows
Nasheed	Parkinson	Riddle	Sater	Schatz
Smith 71				

Speaker Tilley declared the bill passed.

HCS SB 813, relating to financial transactions, was taken up by Representative Dieckhaus.

Representative Cierpiot offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 813, in the Title, Line 2, by inserting after the phrase “67.085,” the phrase:

“67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill No. 1504,”; and

Further amend said bill, Section A, Line 1, by inserting after the phrase “Sections 67.085,” the phrase:

“section 67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill No. 1504,”; and

Further amend said section, Line 7, by inserting after the phrase “sections 67.085,” the phrase “67.5012,”; and

Further amend said bill, Section 67.085, Page 2, Line 22, by inserting after all of said section the following:

“67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038. The question of whether to continue to impose the one-tenth of one cent local sales tax authorized under this section shall be submitted to the voters of the county every twelve years after the voters of that county approve the initial imposition of the tax.”; and

Further amend said bill, Section 339.549, Page 30, Line 17, by inserting after all of said line the following:

“[67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1** was adopted.

Representative Dieckhaus offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 813, Page 10, Section 313.817, Line 47, by deleting all of said line and inserting in lieu thereof the following:

“of an occupational license, except that such approval shall not be made less than twenty-four hours after the determination that a person is a qualified person. A licensee may accept multiple credit instruments from the”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dieckhaus, **House Amendment No. 2** was adopted.

Representative Lant offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said line the following:

"143.115. 1. As used in this section, the following terms mean:

(1) "Deduction", an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed;

(2) "Made in America", manufactured or produced within the United States of America or, if premanufactured, having a fair market value at least seventy percent of which results from domestic labor and materials;

(3) "Storm shelter", an above-ground safe room or an in-ground shelter in this state in the taxpayer's primary residence or on the taxpayer's real property that protects from injury or death caused by dangerous and extreme windstorms, that is in compliance with the requirements established in the Federal Emergency Management Agency's Publication 320 or its successor publication in effect at the time the storm shelter was completed, and in compliance with the International Code Council 500/National Storm Shelter Association standards with the National Storm Shelter Association seal of quality verification, serial number and Certificate of Installation provided with each storm shelter that is installed, and that is made in America;

(4) "Taxpayer", any individual who is a resident of this state and who is subject to the income tax imposed in this chapter.

2. In addition to all deductions listed in this chapter, for all taxable years beginning on or after January 1, 2013, a taxpayer shall be allowed a deduction for the costs incurred in constructing or installing a storm shelter. The deduction amount shall be equal to the lesser of the full amount of the costs incurred in constructing the storm shelter or two thousand five hundred dollars. No taxpayer shall claim a tax deduction more than once under this section, and no deduction shall be issued for more than one storm shelter constructed or installed by such taxpayer for the taxpayer's primary residence.

3. The aggregate amount of tax deductions which may be issued under this section in any one fiscal year shall not exceed two million dollars. If the amount of tax deductions claimed under this section exceeds two million dollars, the director of the department of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax deductions are equally apportioned among all taxpayers allowed a tax deduction under this section. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax deductions possible up to the cumulative amount of tax deductions available for the fiscal year.

4. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed, and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with

the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock assumed the Chair.

On motion of Representative Lant, **House Amendment No. 3** was adopted.

Representative Franz offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said section and line, the following:

"408.040. 1. In all nontort actions, interest shall be allowed on all money due upon any judgment or order of any court from the date judgment is entered by the trial court until satisfaction be made by payment, accord or sale of property; all such judgments and orders for money upon contracts bearing more than nine percent interest shall bear the same interest borne by such contracts, and all other judgments and orders for money shall bear nine percent per annum until satisfaction made as aforesaid.

2. Notwithstanding the provisions of subsection 1 of this section, in tort actions, interest shall be allowed on all money due upon any judgment or order of any court from the date of judgment is entered by the trial court until full satisfaction. All such judgments and orders for money shall bear a per annum interest rate equal to the [intended Federal Funds Rate, as established by the Federal Reserve Board, plus five percent,] **rate set by section 32.065 plus one percent** until full satisfaction is made. The judgment shall state the applicable interest rate, which shall not vary once entered. In tort actions, if a claimant has made a demand for payment of a claim or an offer of settlement of a claim, to the party, parties or their representatives, and to such party's liability insurer if known to the claimant, and the amount of the judgment or order exceeds the demand for payment or offer of settlement, then prejudgment interest shall be awarded, calculated from a date ninety days after the demand or offer was received, as shown by the certified mail return receipt, or from the date the demand or offer was rejected without counter offer, whichever is earlier. In order to qualify as a demand or offer pursuant to this section, such demand must:

(1) Be in writing and sent by certified mail return receipt requested; and

(2) Be accompanied by an affidavit of the claimant describing the nature of the claim, the nature of any injuries claimed and a general computation of any category of damages sought by the claimant with supporting documentation, if any is reasonably available; and

(3) For wrongful death, personal injury, and bodily injury claims, be accompanied by a list of the names and addresses of medical providers who have provided treatment to the claimant or decedent for such injuries, copies of all reasonably available medical bills, a list of employers if the claimant is seeking damages for loss of wages or earning, and written authorizations sufficient to allow the party, its representatives, and liability insurer if known to the claimant to obtain records from all employers and medical care providers; and

(4) Reference this section and be left open for ninety days. Unless the parties agree in writing to a longer period of time, if the claimant fails to file a cause of action in circuit court prior to a date one hundred twenty days after the demand or offer was received, then the court shall not award prejudgment interest to the claimant. If the claimant is a minor or incompetent or deceased, the affidavit may be signed by any person who reasonably appears to be qualified to act as next friend or conservator or personal representative. If the claim is one for wrongful death, the affidavit may

be signed by any person qualified pursuant to section 537.080 to make claim for the death. Nothing contained herein shall limit the right of a claimant, in actions other than tort actions, to recover prejudgment interest as otherwise provided by law or contract.

3. In tort actions, a judgment for prejudgment interest awarded pursuant to this subsection should bear interest at a per annum interest rate equal to the [intended Federal Funds Rate, as established by the Federal Reserve Board, plus three percent] **rate set by section 32.065**. The judgment shall state the applicable interest rate, which shall not vary once entered.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Silvey	Spreng	Still	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Cierpiot	Day	Diehl	Franklin
Frederick	Hughes	Lauer	Loehner	May
Nasheed	Pace	Parkinson	Riddle	Scharnhorst
Smith 71	Swearingen			

Speaker Tilley resumed the Chair.

On motion of Representative Franz, **House Amendment No. 4** was adopted.

Representative Smith (150) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said line the following:

“Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations’ activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.”; and

Further amend said bill, Page 41, Section 339.1240, Line 11, by inserting after all of said line the following:

“Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered **House Amendment No. 1 to House Amendment No. 5**.

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 813, Page 1, Line 1, by inserting immediately following the number “813,” the following:

‘Page 2, Section 67.085, Line 22, by inserting after all of said section and line the following:

“178.530. 1. The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all

schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational Education Act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education; however, such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.”; and

Further amend said bill,’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Smith (150), **House Amendment No. 5, as amended**, was adopted.

Representative Talboy offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said section, the following:

“67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same

powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

- (1) Later establishment or cessation of any park or recreation system provided by law; or
- (2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

- (1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;
- (2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;
- (3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;
- (4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;
- (5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;
- (6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;
- (7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;
- (8) Establish and collect reasonable charges for the use of the facilities of the district;
- (9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and
- (10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of , state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to County and the cities within the County for local park improvements?

☐ YES

☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

- (1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;
- (2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;
- (3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;
- (4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and
- (5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall

make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be

disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042.

67.5039. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under these sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 shall sunset automatically twenty-three years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically forty-six years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, [2013] 2023.

182.802. 1. [A] **(1) Any public library district located in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; [or]

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for the purpose of providing funding for library district?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district."; and

Further amend said bill, Page 30, Section 339.549, Line 17, by inserting after all of said section, the following:

“Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, House Amendment No. 6 was adopted.

Representative Torpey offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the

Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the

director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Fuhr offered House Amendment No. 1 to House Amendment No. 7.

House Amendment No. 1

to

House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 813, Page 3, Line 19, by inserting immediately after the numeral "95.660," the following:

"taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Torpey, **House Amendment No. 7, as amended**, was adopted.

Representative Pollock resumed the Chair.

Representative Bernskoetter offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 813, Page 1, Section A, Line 10, by inserting after all of said line the following:

"21.940. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages.

2. The committee shall be composed of the following members:

- (1) Two majority party members and one minority party member of the house of representatives, to be appointed by the speaker and minority leader of the house of representatives respectively;
- (2) Two majority party members and one minority party member of the senate, to be appointed by the president pro tempore and minority leader of the senate respectively;
- (3) One representative from the governor's office;
- (4) One representative from the state personnel advisory board; and
- (5) Two members of the public, with one to be appointed by the speaker of the house of representatives and one to be appointed by the president pro tempore of the senate.

A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

3. The committee shall be charged with the following:

- (1) Devising a focused and concise mission statement to guide actions of the committee;
- (2) Requesting the office of administration to use moneys in the state employee wage study fund to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;
- (3) Requesting the office of administration, with the advice and consent of the committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the governor, the house budget committee, and the senate appropriations committee by January 31, 2015;
- (4) Such other matters as the committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues.

4. The committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the committee deems relevant, political subdivisions of this state, and the general public.

5. There is hereby created in the state treasury the "State Employee Wage Study Fund" which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. The state treasurer shall deposit to the credit of such fund all moneys which may be appropriated to it by the general assembly and any gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. The general assembly may appropriate moneys into the fund to be used by the office of administration for the purpose of investing in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the

same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.

7. The provisions of this section shall expire on January 31, 2015."; and

Further amend said bill, Page 41, Section 339.1240, Line 11, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to help attract and maintain a talented and dedicated workforce in order to best serve the needs of Missouri citizens, the enactment of section 21.940 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 21.940 of this act shall be in full force and effect upon its passage and approval.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bernskoetter, **House Amendment No. 8** was adopted.

Representative Franklin offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said section, the following:

"67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Board", the board of directors of a district;
- (3) "District", a law enforcement district organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**;
- (4) **"Registered voter", any voter registered within the boundaries of the district or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification [without a charter form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a] **and each** registered voter [resident] within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final

publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section**, each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898] **67.1894** the district shall have the following general powers:

- (1) To contract with the [local] **county** sheriff's department for the provision of services;
- (2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;
- (3) To fix compensation of its employees and contractors;
- (4) To purchase any personal property necessary or convenient for its activities;
- (5) To collect and disburse funds for its activities; and
- (6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However, the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. [The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board] **Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question.”; and**

Further amend said bill, Page 30, Section 339.549, Line 17, by inserting after all of said section the following:

“[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.]

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES

☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend

or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.]

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the Law Enforcement District to adopt property taxes be terminated?

☐ YES

☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES

☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 9** was adopted.

Representative Solon offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said line the following:

“67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county [of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants], the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or, **if applicable to that county, chapter 141, or**, [by judicial foreclosure proceeding,] at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 10** was adopted.

Representative Zerr offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said section and line the following:

- "135.680. 1. As used in this section, the following terms shall mean:
- (1) "Adjusted purchase price", the product of:
 - (a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and
 - (b) The following fraction:
 - a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and
 - b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;
 - c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;
 - (2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;
 - (3) "Credit allowance date", with respect to any qualified equity investment:
 - (a) The date on which such investment is initially made; and
 - (b) Each of the six anniversary dates of such date thereafter;
 - (4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;
 - (5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;
 - (6) "Qualified community development entity", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;
 - (7) "Qualified equity investment", any equity investment in, or long-term debt security issued by, a qualified community development entity that:
 - (a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;
 - (b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and

(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;

(8) "Qualified low-income community investment", any capital or equity investment in, or loan to, any qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of paragraph (b) of subdivision (1) of this subsection shall be ten million dollars whether issued to one or several qualified community development entities;

(9) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;

(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.

2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.

4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:

(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.

5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the allocation of tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.

6. For fiscal years following fiscal year [2010] **2015**, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year [2010] **2015**, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this

subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date.

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, [2007] **2012**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schieber offered **House Amendment No. 1 to House Amendment No. 11.**

*House Amendment No. 1
to
House Amendment No. 11*

AMEND House Amendment No. 11 to House Committee Substitute for Senate Bill No. 813, Page 1, Line 2, by inserting after all of said line the following:

‘Further amend said bill, Page 2, Section 67.085, Line 22, by inserting after all of said section and line the following:

“135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, **if said political subdivision or municipality levies ad valorem taxes**, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred

inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, **if said political subdivision or municipality levies ad valorem taxes**, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieber, **House Amendment No. 1 to House Amendment No. 11** was adopted.

On motion of Representative Zerr, **House Amendment No. 11, as amended**, was adopted.

Representative Ruzicka offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said section and line the following:

“Section 1. 1. There is hereby created in the state treasury the “Law Enforcement Data Sharing Equalization Fund”, which shall consist of money collected under section 2. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the law enforcement data sharing equalization fund system.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Section 2. A surcharge in criminal cases for law enforcement services which are disposed of by a traffic or central violations bureau established pursuant to law or supreme court rule shall be charged in an amount which shall equal the charge by sheriffs, county marshals, or other officers for their services rendered in criminal cases for infractions and the surcharge shall be distributed as follows:

(1) One-half of the surcharge collected shall be forwarded and deposited to the credit of the law enforcement data sharing equalization fund established in section 1 for the operational cost of the law enforcement data sharing equalization fund system; and

(2) One-half of the surcharge collected shall be deposited to the credit of the inmate security fund of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, the funds shall be deposited in the law enforcement data sharing equalization fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 12** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lasater	Leach	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 022

Asbury	Brattin	Carter	Cross	Diehl
Dugger	Franklin	Hinson	Holsman	Korman
Lauer	Leara	Loehner	May	McManus
Nasheed	Redmon	Richardson	Riddle	Schneider
Smith 150	Mr Speaker			

On motion of Representative Dieckhaus, **HCS SB 813, as amended**, was adopted.

On motion of Representative Dieckhaus, **HCS SB 813, as amended**, was read the third time and passed by the following vote:

AYES: 084

Allen	Atkins	Aull	Bernskoetter	Black
Brandom	Brown 50	Brown 116	Cierpiot	Conway 14
Cox	Crawford	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Lair	Lant
Largent	Leara	Lichtenegger	Loehner	McGhee
Meadows	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Richardson	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieffer
Smith 71	Solon	Sommer	Stream	Swinger
Taylor	Thomson	Torpey	Webber	Wells
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 070

Anders	Asbury	Bahr	Barnes	Berry
Brattin	Brown 85	Burlison	Carlson	Casey
Cauthorn	Colona	Conway 27	Cookson	Cross
Curtman	Ellinger	Ellington	Frederick	Fuhr
Hampton	Hodges	Holsman	Hughes	Hummel
Kander	Kirkton	Koenig	Kratky	Lampe
Lasater	Leach	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNary	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Reiboldt	Rizzo	Sater	Schieber	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 150
Spreng	Still	Swearingen	Talboy	Wallingford
Walton Gray	Webb	Weter	White	Wieland

PRESENT: 002

Molendorp Shumake

ABSENT WITH LEAVE: 007

Carter	Franklin	Lauer	May	Nasheed
Riddle	Schneider			

Representative Pollock declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 084

Allen	Aull	Bernskoetter	Black	Brandom
Brown 50	Brown 116	Carter	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Korman	Lair
Lant	Largent	Leara	Lichtenegger	Loehner
McGhee	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Scharnhorst	Schieffer
Shively	Shumake	Smith 71	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Webber	Wright	Wyatt	Zerr	

NOES: 064

Anders	Asbury	Atkins	Bahr	Barnes
Berry	Brown 85	Burlison	Carlson	Casey
Colona	Conway 27	Cross	Curtman	Ellinger
Ellington	Frederick	Fuhr	Hampton	Harris
Hodges	Holsman	Hughes	Hummel	Kirkton
Koenig	Kratky	Lampe	Lasater	Leach
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Sater
Schieber	Schoeller	Schupp	Sifton	Silvey
Spreng	Talboy	Taylor	Wallingford	Walton Gray
Webb	Weter	White	Wieland	

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 014

Brattin	Diehl	Franklin	Lauer	May
Nasheed	Riddle	Schad	Schatz	Schneider
Still	Swearingen	Wells	Mr Speaker	

HCS SCS SB 625, relating to retirement, was taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 625, Pages 1 to 4, Sections 50.1130, 50.1140, 56.807, by removing all of said sections from the bill; and

Further amend said bill, Pages 5 to 11, Sections 104.1084 and 104.1091, by removing all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 625, Page 1, Line 2, by deleting the following, "Pages 1 to 4, Sections 50.1130, 50.1140," and inserting in lieu thereof, "Pages 2 to 4, Section"; and

Further amend said amendment, Page 1, Line 5, by deleting, "Pages 5 to 11, Sections 104.1084 and 104.1091" and inserting in lieu thereof, "Pages 5 to 7, Section 104.1084"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller

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Shumake	Silvey	Smith 150	Solon	Sommer
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Newman	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Denison	Diehl	Franklin	Lauer
Loehner	McNary	Nasheed	Nichols	Riddle
Schneider	Stream	Wells	Mr Speaker	

On motion of Representative Leara, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wyatt	Wyatt	Zerr

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Denison	Dieckhaus	Diehl	Ellinger
Franklin	Holsman	Koenig	Lauer	Nasheed
Quinn	Riddle	Schneider	Wells	Mr Speaker

On motion of Representative Jones (117), **House Amendment No. 1, as amended**, was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dugger	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Weter	Wieland
Wright	Wyatt	Zerr		

NOES: 047

Aull	Black	Brown 50	Carlson	Colona
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hughes	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe

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McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 028

Anders	Atkins	Carter	Casey	Day
Denison	Dieckhaus	Diehl	Elmer	Franklin
Gatschenberger	Hough	Jones 63	Korman	Lauer
Leach	Long	May	Meadows	Nasheed
Riddle	Schneider	Schoeller	Still	Webb
Wells	White	Mr Speaker		

On motion of Representative Jones (117), **HCS SCS SB 625, as amended**, was adopted.

On motion of Representative Jones (117), **HCS SCS SB 625, as amended**, was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Leach	Leara	Lichtenegger
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 002

Harris Marshall

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Day	Dieckhaus	Dugger	Franklin
Gatschenberger	Lauer	Loehner	Nasheed	Redmon
Riddle	Schneider	Wells	White	Wright

Representative Pollock declared the bill passed.

HCS SCS SB 648, relating to transportation, was taken up by Representative Sommer.

Representative Conway (14) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number" (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be [displayed] **a plate or**, on each side of such motor vehicle, [in] letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (14), **House Amendment No. 1** was adopted.

Representative Rowland offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said line the following:

"227.506. The portion of U.S. Highway 160 in the City of Gainesville from the intersection of Highway 5 south of the intersection of County Road 300 in Ozark County shall be designated the "Matthew J. England Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 2** was adopted.

Representative Shumake offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"186.070. 1. The general assembly, giving due consideration to the experiences and continued interest of former and current members of various statewide advisory boards and commissions, as well as experience on gubernatorial-appointed boards of curators and regents of regional state colleges and universities, does hereby establish the "Missouri Advisory Boards and Commissions Association". This section enables current members and former members of Missouri's Advisory Boards and Commissions and board of curators and regents to join together in a formal organization. This association shall meet on at least an annual basis, determine association membership guidelines, develop a set of bylaws, and issue annual reports and other reports as requested by the general assembly and the executive branch.

2. The purpose of the Missouri Advisory Boards and Commissions Association is to provide a framework which enables former and current members of Missouri's Advisory Boards and Commissions to share observations and insights derived from their participation as advisory board and commission members and members of boards of curators and regents to study and discuss matters of statewide importance, as well as to report recommendations for further action as requested to the Missouri general assembly and the offices of the governor and lieutenant governor of the State of Missouri.

3. Membership in the Missouri Advisory Boards and Commissions Association is purely voluntary and members shall serve without compensation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shumake, **House Amendment No. 3** was adopted.

Representative Schad offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 3, Section 302.130, Line 87, by inserting after all of said section and line the following:

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. 2 points
(except any violation of municipal stop sign ordinance where no accident is involved. 1 point)

(2) Speeding
In violation of a state law. 3 points
In violation of a county or municipal ordinance. 2 points

(3) Leaving the scene of an accident in violation of section 577.060. 12 points
In violation of any county or municipal ordinance. 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. 4 points
In violation of a county or municipal ordinance. 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:
(a) For the first conviction. 2 points
(b) For the second conviction. 4 points
(c) For the third conviction. 6 points
(6) Operating with a suspended or revoked license prior to restoration of operating privileges. 12 points
(7) Obtaining a license by misrepresentation. 12 points
(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight
In violation of state law. 8 points
In violation of a county or municipal ordinance or federal law or regulation. 8 points

(11) Any felony involving the use of a motor vehicle. 12 points
(12) Knowingly permitting unlicensed operator to operate a motor vehicle. 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. 4 points

(14) Endangerment of a highway worker in violation of section 304.585. 4 points
(15) Aggravated endangerment of a highway worker in violation of section 304.585. 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. 4 points

(17) Endangerment of an emergency responder in violation of section 304.894. 4 points
(18) Aggravated endangerment of an emergency responder in violation of section 304.894. 12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.”; and

Further amend said bill, Page 9, Section 304.154, Line 64, by inserting after all of said section and line the following:

“304.890. As used in sections 304.890 to 304.894, the following terms shall mean:

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or

(b) An emergency vehicle displaying active emergency lights or signals;

(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

- (1) Exceeding the posted speed limit by fifteen miles per hour or more;
- (2) Passing in violation of subsection 3 of section 304.892;
- (3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;
- (4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;
- (5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;
- (6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or
- (7) Committing any of the following offenses for which points may be assessed under section 302.302:
 - (a) Leaving the scene of an accident in violation of section 577.060;
 - (b) Careless and imprudent driving in violation of subsection 4 of section 304.016;
 - (c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;
 - (d) Operating with a suspended or revoked license;
 - (e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;
 - (f) Any felony involving the use of a motor vehicle.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 4** was adopted.

Representative Jones (117) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. **The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.** The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered**

any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.”; and

Further amend said bill, Page 5, Section 302.304, Line 37, by inserting after the period “.” on said line, the following:

“If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such seventy-five-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations.”; and

Further amend said bill, page, and section, Line 39, by inserting after the comma “,” on said line, the following:

“or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,”; and

Further amend said bill, Page 7, Section 302.304, Line 137, by inserting after the period “.” on said line, the following:

“If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.”; and

Further amend said bill, page, and section, Line 139, by inserting after all of said section and line, the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection**, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; [or]

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days** of such revocation, **provided the person is not otherwise ineligible for a limited driving privilege.**

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least [three years] **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding [three years] **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least [two years] **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding [two years] **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. **If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. Upon completion of such seventy-five day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;**

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Pages 13-14, Section 577.600, Lines 1-45, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 14-15, Section 577.606, Lines 1-21, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 15, Section 577.606, Line 21, by inserting after all of said section and line, the following:

"Section B. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become effective October 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 5** was adopted.

Representative Gosen offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Pages 7-9, Section 304.154, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 6** was adopted.

Representative Johnson offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

"301.4042. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Pony Express Museum in St. Joseph, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Pony Express Museum will provide a logo to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Pony Express Museum derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Pony Express Museum. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Pony Express Museum, the museum shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the rider on horseback emblem, and the words "Pony Express" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Pony Express Museum's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Pony Express Museum's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Pony Express specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 7** was adopted.

Representative Gatschenberger offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by after all of said section and line inserting the following:

“227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.

301.3163. Any person may apply for [special] **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the [special] **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the [advisory committee established in section 301.129] **director**, with the words "DON'T TREAD ON ME" [in place of the words "SHOW-ME STATE"] **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 8** was adopted.

Representative Meadows offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 3, Section 302.130, Line 87, by inserting after all of said section and line the following:

“302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed **or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license**, but not where [the] a license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license.

302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:

(1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States; and

(2) Payment of the fee for the driver's license or identification card authorized under this chapter.

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

3. The department of revenue may determine the appropriate placement of the veteran designation on the driver's licenses and identification cards authorized under this section and may promulgate the necessary rules for administration of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Meadows, **House Amendment No. 9** was adopted.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Lair

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Lant	Largent	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Weter	Wieland	Wright	Wyatt	Zerr

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 022

Dieckhaus	Dugger	Franklin	Frederick	Hubbard
Hughes	Jones 89	Korman	Lasater	Lauer
Long	Molendorp	Nasheed	Oxford	Riddle
Ruzicka	Sater	Sifton	Swearingen	Wells
White	Mr Speaker			

On motion of Representative Sommer, **HCS SCS SB 648, as amended**, was adopted.

On motion of Representative Sommer, **HCS SCS SB 648, as amended**, was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Diehl
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald

McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 017

Carlson	Colona	Ellinger	Ellington	Kirkton
Marshall	McCreery	McNeil	Montecillo	Morgan
Newman	Oxford	Pace	Schupp	Smith 71
Spreng	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 016

Cross	Dieckhaus	Dugger	Franklin	Hubbard
Hughes	Lant	Lasater	Lauer	Riddle
Scharnhorst	Sifton	Smith 150	Webb	Wells
Mr Speaker				

Representative Pollock declared the bill passed.

Representative Funderburk assumed the Chair.

HCS SB 701, relating to road use, was taken up by Representative Wright.

Representative Rowland offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 701, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"227.506. The portion of U.S. Highway 160 in the City of Gainesville from the intersection of Highway 5 south of the intersection of County Road 300 in Ozark County shall be designated the "Matthew J. England Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 1** was adopted.

Representative Gosen offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 701, Pages 15-17, Section 304.154, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 2** was adopted.

Representative Fitzwater offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 701, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"227.508. The portion of Highway 21 in Iron County from the intersection of Highway 221 south to the intersection of Highway 72 shall be designated the "Staff Sergeant Norman J. Inman Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 3** was adopted.

Representative Elmer offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said section and line the following:

"301.4038. Any person who has received a Navy Cross awarded under Section 6242 of Title 20 of the United States Code may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Navy Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "NAVY CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Navy Cross. There shall be an additional fee charged for each set of Navy Cross license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 4** was adopted.

Representative Burlison offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 701, Pages 2-6, Section 260.392, by deleting said section and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each [cask transported] **truck transporting** through or within the state [by truck of] high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All [casks] **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments [transported by truck] are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

- (1) Inspections, escorts, and security for waste shipment and planning;
- (2) Coordination of emergency response capability;
- (3) Education and training of state, county, and local emergency responders;
- (4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;
- (5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;
- (6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;
- (7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 5** was adopted.

Representative Conway (14) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said section and line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number" (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be [displayed] **a plate or**, on each side of such motor vehicle, [in] letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (14), **House Amendment No. 6** was adopted.

Representative Pollock offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said section and line, the following:

“301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and

Further amend said bill, Page 17, Section 304.154, Line 64, by inserting after all of said section and line, the following:

“Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 7** was adopted.

Representative Solon offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 701, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

“260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. If a home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants intends to expand solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city or political subdivision intends to expand.

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Colona	Curtman	Dieckhaus	Diehl
Dugger	Fraker	Franklin	Fuhr	Grisamore
Kelley 126	Kelly 24	Lasater	Lauer	Meadows
Schieber	White			

On motion of Representative Solon, **House Amendment No. 8** was adopted.

Representative Shumake offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said line and section and line the following:

“302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed **or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license**, but not where [the] a license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license.

302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:

(1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States; and

(2) Payment of the fee for the driver's license or identification card authorized under this chapter.

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

3. The department of revenue may determine the appropriate placement of the veteran designation on the driver's licenses and identification cards authorized under this section and may promulgate the necessary rules for administration of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shumake, **House Amendment No. 9** was adopted.

Representative Johnson offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting immediately after said line the following:

“301.4042. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Pony Express Museum in St. Joseph, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Pony Express Museum will provide a logo to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Pony Express Museum derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Pony Express Museum. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Pony Express Museum, the museum shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required

by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the rider on horseback emblem, and the words "Pony Express" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Pony Express Museum's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Pony Express Museum's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Pony Express specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 10** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franz	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon

Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 029

Asbury	Barnes	Colona	Curtman	Denison
Dieckhaus	Diehl	Ellinger	Franklin	Frederick
Fuhr	Hinson	Holsman	Hughes	Jones 63
Largent	Lasater	Lauer	Long	McGhee
McManus	Meadows	Pace	Richardson	Sater
Schad	Spreng	Walton Gray	Mr Speaker	

On motion of Representative Wright, **HCS SB 701, as amended**, was adopted.

On motion of Representative Wright, **HCS SB 701, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Leach
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McDonald	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Schatz	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Solon

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Sommer	Stream	Swinger	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 035

Anders	Carlson	Carter	Ellington	Hoskins
Hubbard	Hummel	Jones 63	Kirkton	May
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieber	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Torpey	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Colona	Denison	Dieckhaus	Diehl
Ellinger	Franklin	Fuhr	Holsman	Hughes
Lasater	Lauer	Long	Meadows	Nasheed
Richardson	Sater	Scharnhorst	Smith 150	Thomson
Mr Speaker				

Representative Funderburk declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 469, as amended**, and has taken up and passed **HCS SS SCS SB 469, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS#2 SCS SB 480, as amended**: Senators Stouffer, Kehoe, Engler, McKenna and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 673, as amended**: Senators Brown, Richard, Wasson, McKenna and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 682, as amended**, and has taken up and passed **HCS SS SCS SB 682, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 726, as amended**: Senators Parson, Kehoe, Engler, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 749, as amended**: Senators Lamping, Dempsey, Richard, Justus and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 769, as amended**, and requests the House to recede from its position and, failing to do so, grants the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 854, as amended**: Senators Mayer, Goodman, Crowell, Keaveny and Curls.

BILL CARRYING REQUEST MESSAGE

HCS SS SB 769, as amended, relating to state and local standards, was taken up by Representative Cierpiot.

Representative Cierpiot moved that the House refuse to recede from its position on **HCS SS SB 769, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1072, relating to the Volunteer Health Service Act, was taken up by Representative Sater.

Representative Sater moved that the House refuse to adopt **SCS HCS HB 1072** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS#2 SCS HB 1170, as amended, relating to special property tax assessments, was taken up by Representative Franz.

Representative Franz moved that the House refuse to adopt **SS#2 SCS HB 1170, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS#2 SCS SB 729, relating to political subdivisions, was taken up by Representative Kelly (24).

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 69, Section 321.228, Line 26, by inserting after the word "**construction**" the following:

". Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Hough offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 68, Section 162.485, Lines 1 to 11, by deleting said section from the bill; and

Further amend said bill, Page 81, Section 1, Lines 1 to 14, by deleting said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 2** was adopted.

Representative Franz offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 7, Section 52.240, Line 27, by inserting after all of said line the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived

as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section[; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence]. **The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars[, other than regular budget allocations or land sale proceeds,] **in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 3** was adopted.

Representative Cox offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 77, Section 557.011, Line 42, by inserting after all of said section and line, the following:

"610.020. 1. All public governmental bodies shall give notice of the time, date, and place of each meeting, and its tentative agenda, in a manner reasonably calculated to advise the public of the matters to be considered, and if the meeting will be conducted by telephone or other electronic means, the notice of the meeting shall identify the mode by which the meeting will be conducted and the designated location where the public may observe and attend the meeting. If a public body plans to meet by Internet chat, Internet message board, or other computer link, it shall post a notice of the meeting on its website in addition to its principal office and shall notify the public how to access that meeting. Reasonable notice shall include making available copies of the notice to any **member of the public or** representative of the news media who requests notice of meetings of a particular public governmental body concurrent with the notice being made available to the members of the particular governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.

2. Notice conforming with all of the requirements of subsection 1 of this section shall be given at least [twenty-four] **forty-eight hours, or twenty-four hours for the general assembly and any committee thereof**, exclusive

of weekends and holidays when the facility is closed, prior to the commencement of any meeting of a governmental body unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given. Each meeting shall be held at a place reasonably accessible to the public and of sufficient size to accommodate the anticipated attendance by members of the public, and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impractical. Every reasonable effort shall be made to grant special access to the meeting to handicapped or disabled individuals.

3. A public body shall allow for the recording by audiotape, videotape, or other electronic means of any open meeting. A public body may establish guidelines regarding the manner in which such recording is conducted so as to minimize disruption to the meeting. No audio recording of any meeting, record, or vote closed pursuant to the provisions of section 610.021 shall be permitted without permission of the public body; any person who violates this provision shall be guilty of a class C misdemeanor.

4. When it is necessary **for such governmental bodies** to hold a meeting on less than [twenty-four] **forty-eight** hours' notice, **or twenty-four hours' notice for the general assembly and any committee thereof**, or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.

5. A formally constituted subunit of a parent governmental body may conduct a meeting without notice as required by this section during a lawful meeting of the parent governmental body, a recess in that meeting, or immediately following that meeting, if the meeting of the subunit is publicly announced at the parent meeting and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the parent governmental body.

6. If another provision of law requires a manner of giving specific notice of a meeting, hearing or an intent to take action by a governmental body, compliance with that section shall constitute compliance with the notice requirements of this section.

7. A journal or minutes of open and closed meetings shall be taken and retained by the public governmental body, including, but not limited to, a record of any votes taken at such meeting. The minutes shall include, **but not be limited to**, the date, time, place, members present, members absent, and a record of any votes taken. When a roll call vote is taken, the minutes shall attribute each "yea" and "nay" vote or abstinence if not voting to the name of the individual member of the public governmental body. **Minutes shall reflect a summary of the discussions occurring during any closed meeting, but nothing in this subsection shall require the disclosure of records or votes that are properly closed under section 610.021."**; and

Further amend said bill, Pages 77-80, Section 610.021, Lines 1-114, by deleting all of said section and lines and inserting in lieu thereof, the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be [made public] **publicly disclosed in an open meeting** upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be [announced or become public] **publicly disclosed in an open meeting** immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record. **When public disclosure in an open meeting is prescribed, such disclosure shall be done orally or in writing, or both, and shall occur at the next scheduled open meeting of the public body, or at the resumption of a recessed or subsequent open meeting, whatever is applicable soonest to the time lines for disclosure as prescribed in this section;**

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.

As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

- (4) The state militia or national guard or any part thereof;
- (5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;
- (6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;
- (7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;
- (8) Welfare cases of identifiable individuals;
- (9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;
- (10) Software codes for electronic data processing and documentation thereof;
- (11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;
- (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;
- (13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;
- (14) Records which are protected from disclosure by law;
- (15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;
- (16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;
- (17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;
- (18) Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, [2012] **2016**;
- (19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:
 - (a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;
 - (b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(d) This exception shall sunset on December 31, [2012] **2016**;

(20) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(21) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

(22) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business.

610.022. 1. Except as set forth in subsection 2 of this section, no meeting or vote may be closed without an affirmative public vote of the majority of a quorum of the public governmental body. The vote of each member of the public governmental body on the question of closing a public meeting or vote and the specific reason for closing that public meeting or vote by reference to a specific section of this chapter shall be announced publicly at an open meeting of the governmental body and entered into the minutes.

2. A public governmental body proposing to hold a closed meeting or vote shall give notice of the time, date and place of such closed meeting or vote and the reason for holding it by reference to the specific exception allowed pursuant to the provisions of section 610.021. Such notice shall comply with the procedures set forth in section 610.020 for notice of a public meeting.

3. Any meeting or vote closed pursuant to section 610.021 shall be closed only to the extent necessary for the specific reason announced to justify the closed meeting or vote. Public governmental bodies shall not discuss any business in a closed meeting, record or vote which does not directly relate to the specific reason announced to justify the closed meeting or vote. **Only members of a public governmental body, their attorney and staff assistants, and any other person necessary to provide information needed by or requested by the public governmental body in regard to the matter being discussed shall be permitted in a closed meeting.** Public governmental bodies holding a closed meeting shall close only an existing portion of the meeting facility necessary to house the members of the public governmental body in the closed session, allowing members of the public to remain to attend any subsequent open session held by the public governmental body following the closed session.

4. Nothing in sections 610.010 to 610.028 shall be construed as to require a public governmental body to hold a closed meeting, record or vote to discuss or act upon any matter.

5. Public records shall be presumed to be open unless otherwise exempt pursuant to the provisions of this chapter.

6. In the event any member of a public governmental body makes a motion to close a meeting, or a record, or a vote from the public and any other member believes that such motion, if passed, would cause a meeting, record or vote to be closed from the public in violation of any provision in this chapter, such latter member shall state his or her objection to the motion at or before the time the vote is taken on the motion. The public governmental body shall enter in the minutes of the public governmental body any objection made pursuant to this subsection. Any member making such an objection shall be allowed to fully participate in any meeting, record or vote that is closed from the public over the member's objection. In the event the objecting member also voted in opposition to the motion to close the meeting, record or vote at issue, the objection and vote of the member as entered in the minutes shall be an absolute defense to any claim filed against the objecting member pursuant to section 610.027.

610.023. 1. Each public governmental body is to appoint a custodian who is to be responsible for the maintenance of that body's records. The identity and location of a public governmental body's custodian is to be made available upon request. **Each custodian of a public governmental body is encouraged to create and maintain an index of all public records maintained by its public governmental body.**

2. Each public governmental body shall make available for inspection and copying by the public of that body's public records. No person shall remove original public records from the office of a public governmental body or its custodian without written permission of the designated custodian. No public governmental body shall, after August 28, 1998, grant to any person or entity, whether by contract, license or otherwise, the exclusive right to access and disseminate any public record unless the granting of such right is necessary to facilitate coordination with, or uniformity among, industry regulators having similar authority.

3. Each request for access to a public record shall be acted upon as soon as possible, but in no event later than the end of the third business day following the date the request is received by the custodian of records of a public governmental body. If records are requested in a certain format, the public body shall provide the records in the requested format, if such format is available. If access to the public record is not granted immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection. This period for document production may exceed three days for reasonable cause.

4. If a request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requester no later than the end of the third business day following the date that the request for the statement is received.

610.027. 1. The remedies provided by this section against public governmental bodies shall be in addition to those provided by any other provision of law. Any aggrieved person, taxpayer to, or citizen of, this state, or the attorney general or prosecuting attorney, may seek judicial enforcement of the requirements of sections 610.010 to 610.026. Suits to enforce sections 610.010 to 610.026 shall be brought in the circuit court for the county in which the public governmental body has its principal place of business. Upon service of a summons, petition, complaint, counterclaim, or cross-claim in a civil action brought to enforce the provisions of sections 610.010 to 610.026, the custodian of the public record that is the subject matter of such civil action shall not transfer custody, alter, destroy, or otherwise dispose of the public record sought to be inspected and examined, notwithstanding the applicability of an exemption pursuant to section 610.021 or the assertion that the requested record is not a public record until the court directs otherwise.

2. [Once a party seeking judicial enforcement of sections 610.010 to 610.026 demonstrates to the court that the body in question is subject to the requirements of sections 610.010 to 610.026 and has held a closed meeting, record or vote, the burden of persuasion shall be on the body and its members to demonstrate compliance with the requirements of sections 610.010 to 610.026.] **In any legal proceeding, there shall be a presumption that a meeting, record, or vote is open to the public. The burden shall be on a public governmental body or a member of a public governmental body to prove that such meeting, record, or vote may be closed to the public.**

3. Upon a finding by a preponderance of the evidence that a public governmental body or a member of a public governmental body has knowingly violated sections 610.010 to 610.026, the public governmental body or the member shall be subject to a civil penalty in an amount up to one thousand dollars. If the court finds that there is a knowing violation of sections 610.010 to 610.026, the court may order the payment by such body or member of all costs and reasonable attorney fees to any party successfully establishing a violation. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the public governmental body or member of a public governmental body has violated sections 610.010 to 610.026 previously.

4. Upon a finding by a preponderance of the evidence that a public governmental body or a member of a public governmental body has purposely violated sections 610.010 to 610.026, the public governmental body or the member shall be subject to a civil penalty in an amount up to five thousand dollars. If the court finds that there was a purposeful violation of sections 610.010 to 610.026, then the court shall order the payment by such body or member of all costs and reasonable attorney fees to any party successfully establishing such a violation. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the public governmental body or member of a public governmental body has violated sections 610.010 to 610.026 previously.

5. Upon a finding by a preponderance of the evidence that a public governmental body has violated any provision of sections 610.010 to 610.026, a court shall void any action taken in violation of sections 610.010 to 610.026, if the court finds under the facts of the particular case that the public interest in the enforcement of the policy of sections 610.010 to 610.026 outweighs the public interest in sustaining the validity of the action taken in the [closed] meeting, record or vote. Suit for enforcement shall be brought within one year from which the violation is ascertainable and in no event shall it be brought later than two years after the violation. This subsection shall not apply to an action taken

regarding the issuance of bonds or other evidence of indebtedness of a public governmental body if a public hearing, election or public sale has been held regarding the bonds or evidence of indebtedness.

6. A public governmental body which is in doubt about the legality of closing a particular meeting, record or vote may bring suit at the expense of that public governmental body in the circuit court of the county of the public governmental body's principal place of business to ascertain the propriety of any such action, or seek a formal opinion of the attorney general or an attorney for the governmental body."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative Cookson offered **House Amendment No 5.**

House Amendment No. 5

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 10, Section 67.548, Line 37, by inserting after said line the following:

“67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than [five thousand nine hundred but fewer than six thousand inhabitants] **six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat** may impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [or], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room, **RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room, **RV site, or campsite** and all other taxes imposed by law, and [fifty percent of] the proceeds of such tax shall be used [by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used] to fund the promotion, **operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [and], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in (name of county) at a rate of (insert rate of percent) percent for the [benefit of the county] **promotion, operation, and development of tourism?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cookson, **House Amendment No. 5** was adopted.

Representative Nolte offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 16, Section 67.1305, Line 201, by inserting after all of said section and line the following:

"67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; [and]

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner:

Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:.....

If owner is not an individual, state what type of entity:

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten

years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of purpose) in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.”; and

Further amend said bill, Page 18, Section 67.1521, Line 59, by inserting after all of said line the following:

“67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 6** was adopted.

Representative Schupp offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 80, Section 610.021, Line 110, by placing bracket around the word “[and]”; and

Further amend said page and section, Line 114, by inserting immediately after the word “business” the following:

“;

(23) Records that contain the electronic mail addresses of individuals; and

(24) Records that identify security systems or access codes or authorization codes for security systems of real property owned by a nonpublic entity.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schupp moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Neth offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Section 71.015, Page 25, Line 137, by inserting the following after all of said line:

“94.837. 1. **(1)** The governing body of **the following cities may impose a tax as provided in this section:**

(a) Any city of the fourth classification with more than two thousand five hundred but fewer than two thousand six hundred inhabitants and located in any county of the third classification without a township form of government and with more than ten thousand four hundred but fewer than ten thousand five hundred inhabitants[, the governing body of];

(b) Any special charter city[, and the governing body of];

(c) Any city of the fourth classification with more than one thousand two hundred but fewer than one thousand three hundred inhabitants and located in any county of the third classification without a township form of government and with more than four thousand three hundred but fewer than four thousand four hundred inhabitants.

(2) The governing body of any city listed in subdivision (1) of this subsection may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and **except as provided in subsection 4 of this section**, the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

4. In any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants, any tax imposed under this section shall be used by the city solely for the promotion of tourism and cultural activities, the development, construction, and operation of convention facilities, the promotion of business development, and the construction of related infrastructure and improvements. The ballot of submission for the tax authorized in this subsection shall be in substantially the following form:

"Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels and bed and breakfast inns situated in (insert name of city) at a rate of up to five percent for the sole purpose of the promotion of tourism and cultural activities, development, construction, and operation of convention facilities, the promotion of business development, and the construction of related infrastructure and improvements?"

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the political subdivision and such question is approved by a majority of the qualified voters voting on the question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Flanigan offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 2, Line 32, by inserting after said line the following:

‘Further amend said bill, Page 2, Section A, Line 17, by inserting after said line the following:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420.**

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local

sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. [He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty,

addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:
 - (1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;
 - (2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;
 - (3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:
 - (a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and
 - (b) Provide for the payment of the amount withheld to the state;
 - (4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.
4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:
 - (1) The full name of the person and any other names known to be used by the person;
 - (2) The Social Security number or federal tax identification number;
 - (3) The amount of the nontax liability; and
 - (4) A statement that the debt is past due and legally enforceable in the amount certified.
5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:
 - (1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;
 - (2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;
 - (3) Pay to the federal official the lesser of:
 - (a) The entire refund or vendor payment; or
 - (b) The amount certified; and
 - (4) Pay any refund or vendor payment in excess of the certified amount to the person.
6. Under the agreement, the director of revenue shall:
 - (1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;
 - (2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and
 - (3) Provide for the payment of the amount withheld to the state.
7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:
 - (1) The full name and address of the person and any other names known to be used by the person;
 - (2) The Social Security number or tax identification number;
 - (3) The amount of the tax or nontax liability;
 - (4) A statement that the debt is past due and legally enforceable in the amount certified; and
 - (5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.
8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

- (1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;
- (2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department.”; and

Further amend said bill, Page 28, Section 94.902, Line 100, by inserting after all of said line the following:

“105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.”; and

Further amend said bill, Page 31, Section 137.016, Line 94, by inserting after said line the following:

“140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person

or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.”; and

Further amend said bill, Page 67, Section 141.1015, Line 2, by inserting after said line the following:

“144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.] 7. Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.] 8. For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

- (1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;
- (2) A decision of a court of competent jurisdiction or the administrative hearing commission; or
- (3) Changes in regulations or policy by the department of revenue.

[7.] 9. Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director

of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.] **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied.”; and

Further amend said bill, Page 81, Section B, Lines 1-6, by deleting all of said lines and inserting in lieu thereof the following:

“Section B. Because immediate action is necessary to secure adequate state and local revenues, the enactment of section 32.383 and the repeal and reenactment of section 50.622 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 and the repeal and reenactment of section 50.622 of this act shall be in full force and effect upon its passage and approval.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1 to Amendment No. 8** was adopted.

On motion of Representative Neth, **House Amendment No. 8, as amended**, was adopted.

Representative Brattin offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 2, Section A, Line 17, by inserting after all of said section and line the following:

“9.015. No state or local governmental entity, public building, public park, public school, or public setting or place shall ban or otherwise restrict the practice, mention, celebration, or discussion of any federal holiday.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 9** was adopted.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Davis	Day	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein

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Koenig	Korman	Lair	Lant	Largent
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Conway 27	Cookson	Curtman	Denison	Dieckhaus
Dugger	Franklin	Gatschenberger	Haefner	Hughes
Lauer	Pollock	Thomson	Wyatt	Mr Speaker

On motion of Representative Kelly (24), **HCS#2 SCS SB 729, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS#2 SCS SB 729, as amended**, was read the third time and passed by the following vote:

AYES: 121

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Leara	Lichtenegger	Loehner	Long
McGeoghegan	McGhee	McNary	Meadows	Molendorp

Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 031

Carlson	Carter	Colona	Ellington	Holsman
Hughes	Hummel	Jones 63	Kirkton	Leach
Marshall	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Newman
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Talboy	Taylor
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Denison	Dieckhaus	Franklin	Lauer
McCaherty	Pollock	Schad	Thomson	Webber
Mr Speaker				

Representative Funderburk declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Nichols	Nolte	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake

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Sifton	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 014

Carlson	Ellinger	Ellington	Hummel	Kirkton
Koenig	Marshall	McCreery	Morgan	Newman
Oxford	Pace	Smith 71	Spreng	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Denison	Fisher	Franklin	Hughes
Lauer	Nasheed	Riddle	Schad	Thomson
Webber	Mr Speaker			

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1424**, entitled:

An act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to the state highway patrol.

With Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended.

Senate Amendment No. 1
to
Senate Amendment No. 1

AMEND Senate Amendment No. 1 to House Bill No. 1424, Page 1, Section 306.111, Line 18, by inserting a closing bracket after "the"; and

Further amend said line by striking "] waters" and inserting in lieu thereof the following:

"and rivers"; and

Further amend said amendment, Page 2, Section 306.112, Line 16, by inserting a closing bracket after the word "the"; and

Further amend said line by striking "] waters" and inserting in lieu thereof the following:

"and rivers"; and

Further amend said amendment, Page 5, Section 306.116, Line 4, by inserting a closing bracket after "the"; and

Further amend said line, by striking "] waters" and inserting in lieu thereof the following:

"and rivers"; and

Further amend Line 12, by inserting a closing bracket after the word "or"; and

Further amend Lines 12 to 13, by striking "]" waters" and inserting in lieu thereof the following:

"and rivers".

Senate Amendment No. 1

AMEND House Bill No. 1424, Page 1, Section Title, Line 3, by striking "the state highway patrol" and inserting in lieu thereof the following:

"watercraft"; and

Further amend said bill, Page 2, Section 43.265, Line 19, by inserting immediately after said line the following:

"306.111. 1. A person commits the crime of negligent operation of a vessel if when operating a vessel he or she acts with criminal negligence, as defined in subsection 5 of section 562.016, to cause physical injury to any other person or damage to the property of any other person. A person convicted of negligent operation of a vessel is guilty of a class B misdemeanor upon conviction for the first violation, guilty of a class A misdemeanor upon conviction for the second violation, and guilty of a class D felony for conviction for the third and subsequent violations.

2. A person commits the crime of operating a vessel while intoxicated if he or she operates a vessel on the [Mississippi River, Missouri River or the lakes] **waters** of this state while in an intoxicated condition. Operating a vessel while intoxicated is a class B misdemeanor.

3. A person commits the crime of involuntary manslaughter with a vessel if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause the death of any person. Involuntary manslaughter with a vessel is a class C felony.

4. A person commits the crime of assault with a vessel in the second degree if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause physical injury to any other person. Assault with a vessel in the second degree is a class D felony.

5. For purposes of this section, a person is in an intoxicated condition when he or she is under the influence of alcohol, a controlled substance or drug, or any combination thereof.

306.112. 1. A person commits the crime of operating a vessel with excessive blood alcohol content if such person operates a vessel on the [Mississippi River, Missouri River or the lakes] **waters** of this state with eight-hundredths of one percent or more by weight of alcohol in such person's blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, urine, or saliva.

3. Operating a vessel with excessive blood alcohol content is a class B misdemeanor.

306.113. 1. For purposes of sections [306.111] **306.110** to 306.119, the term "operate" means to physically control the movement of a vessel in motion under mechanical or sail power in water.

2. No arrest shall be made under sections [306.111] **306.110** to 306.119 unless probable cause exists for that arrest.

306.114. 1. No person convicted of or pleading guilty to a violation of section **306.110**, 306.111 or 306.112 shall be granted a suspended imposition of sentence, unless such person is placed on probation for a minimum of two years and a record of the conviction or plea of guilty is entered into the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol.

2. Chemical tests of a person's blood, breath, urine, or saliva to be considered valid under the provisions of sections [306.111] **306.110** to 306.119 shall be performed according to methods and devices approved by the department of health and senior services by licensed medical personnel or by a person possessing a valid permit issued by the department of health and senior services for this purpose. In addition, any state, county, or municipal law enforcement officer who is certified pursuant to chapter 590 may, prior to arrest, administer a portable chemical test to any person suspected of operating any vessel in violation of section **306.110**, 306.111, or 306.112. A portable chemical test shall be admissible as evidence of probable cause to arrest and as exculpatory evidence, but shall not be admissible as

evidence of blood alcohol content. The provisions of section 306.116 shall not apply to a test administered prior to arrest pursuant to this section.

3. The department of health and senior services shall approve satisfactory techniques, devices, equipment, or methods to conduct tests required by sections [306.111] **306.110** to 306.119, and shall establish standards as to the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination, suspension or revocation by the department of health and senior services.

4. A licensed physician, registered nurse, or trained medical technician, acting at the request and direction of a law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless the medical personnel, in the exercise of good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test or a urine or saliva specimen. In withdrawing blood for the purpose of determining the alcohol content in the blood, only a previously unused and sterile needle and sterile vessel shall be used and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to such person.

5. No person who administers any test pursuant to the provisions of sections [306.111] **306.110** to 306.119 upon the request of a law enforcement officer, no hospital in or with which such person is employed or is otherwise associated or in which such test is administered, and no other person, firm, or corporation by whom or with which such person is employed or is in any way associated shall be civilly liable for damages to the person tested, except for negligence in administering of the test or for willful and wanton acts or omissions.

6. Any person who is dead, unconscious or who is otherwise in a condition rendering such person incapable of refusing to take a test as provided in sections [306.111] **306.110** to 306.119 shall be deemed not to have withdrawn the consent provided by section 306.116 and the test or tests may be administered.

306.116. 1. Any person who operates a vessel upon the [Mississippi River, Missouri River or the lakes] **waters** of this state shall be deemed to have given consent to, subject to the provisions of sections [306.111] **306.110** to 306.119, a chemical test or tests of such person's breath, blood, urine, or saliva for the purpose of determining the alcohol or drug content of such person's blood if arrested for any offense arising out of acts which the arresting law enforcement officer had reasonable grounds to believe were committed while the person was operating a vessel upon the [Mississippi River, Missouri River or lakes] **waters** of this state in violation of section **306.110**, 306.111, or 306.112. The test shall be administered at the direction of the arresting law enforcement officer whenever the person has been arrested for the offense.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident, or charge.

3. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of such person's choosing and at such person's expense administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

4. Upon the request of the person who is tested, full information concerning the test shall be made available to such person.

306.117. 1. Upon the trial of any person for violation of any of the provisions of section **306.110**, 306.111, or 306.112 the amount of alcohol or drugs in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, urine, or saliva is admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible. Evidence of alcohol in a person's blood shall be given the following effect:

(1) If there was five-hundredths of one percent or less by weight of alcohol in such person's blood, it shall be presumed that the person was not intoxicated at the time the specimen was obtained;

(2) If there was in excess of five-hundredths of one percent but less than eight-hundredths of one percent by weight of alcohol in such person's blood, the fact shall not give rise to any presumption that the person was or was not intoxicated, but the fact may be considered with other competent evidence in determining whether the person was intoxicated;

(3) If there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken.

2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood.

3. A chemical analysis of a person's breath, blood, urine, or saliva, in order to give rise to the presumption or to have the effect provided for in subsection 1 of this section, shall have been performed as provided in sections [306.111] **306.110** to 306.119 and in accordance with methods and standards approved by the department of health and senior services.

4. The provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated or under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol.

306.118. 1. For purposes of this section, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Aggravated offender", a person who:
 - (a) Has pleaded guilty to or has been found guilty of three or more intoxication-related boating offenses; or
 - (b) Has pleaded guilty to or has been found guilty of one or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024**; assault with a vessel in the second degree under subsection 4 of section 306.111, or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;
- (2) "Chronic offender":
 - (a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related boating offenses; or
 - (b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024**; assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or
 - (c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024**; assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;
- (3) "Intoxication-related boating offense", operating a vessel while intoxicated under subsection 2 of section 306.111; operating a vessel with excessive blood alcohol content under section 306.112; involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024**; assault with a vessel in the second degree under subsection 4 of section 306.111; any violation of subsection 2 of section 306.110; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;
- (4) "Persistent offender", one of the following:
 - (a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses;
 - (b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter under subsection 3 of section 306.111, **involuntary manslaughter involving a vessel under section 565.024**, assault in the second degree under subsection 4 of section 306.111, assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;
- (5) "Prior offender", a person who has pleaded guilty to or has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section, nor sentence such person to pay a fine in lieu of a term of imprisonment, notwithstanding the provisions of section 557.011 to the contrary notwithstanding. No prior offender shall be eligible for parole or probation until he or she has served a minimum of five days imprisonment, unless

as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service. No persistent offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment, unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court. No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment. No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

306.119. 1. If an arresting officer requests a person under arrest to submit to a chemical test, such request shall include the reasons of the officer for requesting the person to submit to a test and shall inform the person that he or she may refuse such request but that such person's refusal may be used as evidence against him or her. If a person refuses a test as provided in this subsection, no test shall be given.

2. If a person refuses to submit to a chemical test of such person's breath, blood, urine, or saliva and that person stands trial for the crimes provided in section **306.110**, 306.111, or 306.112, such refusal may be admissible into evidence at the trial."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1818**, entitled:

An act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to residential property.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1818, Page 3, Section 137.016, Lines 55-71, by striking all of said lines and inserting in lieu thereof the following:

"percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section."

Senate Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1818, Page 4, Section 137.016, Line 94, by inserting after all of said line the following:

"137.076. In establishing the value of a parcel of real property the county assessor shall consider **current market conditions and** previous decisions of the county board of equalization, the state tax commission or a court of competent jurisdiction that affected the value of such parcel. **For purposes of this section, the term "current market conditions", shall include the impact upon the housing market of foreclosures and bank sales.**"; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 769: Representatives Richardson, Zerr, Cierpiot, Taylor and Sifton

THIRD READING OF SENATE BILL

SB 893, relating to reinstating driving privileges, was taken up by Representative Richardson.

Representative Jones (117) offered **House Amendment No. 1.**

House Amendment No. 1

AMEND Senate Bill No. 893, Page 7, Section 302.060, Line 92, by inserting after the period "." on said line, the following:

"The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features."; and

Further amend said bill, page, and section, Line 94, by inserting after the period "." on said line, the following:

"If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months."; and

Further amend said bill, Page 8, Section 302.060, Line 119, by inserting after all of said section and line, the following:

“302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. **If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such seventy-five-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations.**

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, **or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,** the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject

to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor."; and

Further amend said bill, Pages 8-13, Section 302.309, Lines 1-199, by deleting all of said section and lines from the bill and inserting in lieu thereof, the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court

or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection,

or a license revocation under paragraph (h) of subdivision (6) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; [or]

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least [three years] **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding [three years] **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition,

a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least [two years] **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding [two years] **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

Further amend said bill, Page 13, Section 302.309, Line 199, by inserting after all of said section and line, the following:

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. **If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. Upon completion of such seventy-five day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the**

department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Page 13, Section 302.309, Line 199, by inserting after all of said section and line, the following:

"Section B. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become effective October 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

On motion of Representative Richardson, **SB 893, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot

Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Davis	Day	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
May	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 85	Cross	Denison	Franklin	Hughes
Lauer	McCaherty	McCann Beatty	McNary	Nasheed
Pollock	Schad	Webb	Webber	Mr Speaker

Representative Funderburk declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

HB 1424, with Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended, relating to the sale of surplus patrol property, was taken up by Representative Marshall.

Representative Marshall moved that the House refuse to concur in **Senate Amendment No. 1 to Senate Amendment No. 1** and **Senate Amendment No. 1, as amended**, to **HB 1424** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS#2 SCS HB 1170, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 1318**, entitled:

An act to amend chapter 630, RSMo, by adding thereto one new section relating to employees of certain mental health facilities.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"630.170. 1. A person who is listed on the department of mental health disqualification registry pursuant to this section, who is listed on the department of social services or the department of health and senior services employee disqualification list pursuant to section 660.315, or who has been convicted of or pled guilty or nolo contendere to any crime pursuant to section 565.210, 565.212, or 565.214, or section 630.155 or 630.160 shall be disqualified from holding any position in any public or private facility [or], day program, **residential facility, or specialized service** operated, **licensed, certified, accredited, in possession of deemed status, or** funded [or licensed] by the department or in any mental health facility or mental health program in which people are admitted on a voluntary or involuntary basis or are civilly detained pursuant to chapter 632.

2. A person who has been convicted of or pled guilty or nolo contendere to any felony offense against persons as defined in chapter 565; any felony sexual offense as defined in chapter 566; any felony offense defined in section 568.020, 568.045, 568.050, 568.060, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.070, or 569.160, or of an equivalent felony offense, or who has been convicted of or pled guilty or nolo contendere to any violation of subsection 3 of section 198.070, or has been convicted of or pled guilty or nolo contendere to any offense requiring registration under section 589.400, shall be disqualified from holding any direct-care position in any public or private facility, day program, residential facility or specialized service operated, **licensed, certified, accredited, in possession of deemed status, or** funded [or licensed] by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632.

3. A person who has received a suspended imposition of sentence or a suspended execution of sentence following a plea of guilty to any of the disqualifying crimes listed in subsection 1 or 2 of this section shall remain disqualified.

4. Any person disqualified pursuant to the provisions of subsection 1 or 2 of this section may seek an exception to the disqualification from the director of the department or the director's designee. The request shall be written and may not be made more than once every [twelve] **six** months. The request may be granted by the director or designee if in the judgment of the director or designee a clear showing has been made by written submission only, that the person will not commit any additional acts for which the person had originally been disqualified for or any other acts that would be harmful to a patient, resident or client of a facility, program or service. The director or designee may grant an exception subject to any conditions deemed appropriate and failure to comply with such terms may result in the person again being disqualified. **Any person placed on the disqualification registry prior to August 28, 2012, may be removed from the registry by the director or designee if in the judgment of the director or designee a clear showing has been made, by written submission only, that the person will not commit any additional acts for which the person had originally been disqualified for or any other acts that would be harmful to a patient, resident, or client of a facility, program, or service.** Decisions by the director or designee pursuant to the provisions of this subsection shall not be subject to appeal. The right to request an exception pursuant to this subsection shall not apply to persons who are disqualified due to being listed on the department of social services or department of health and senior

services employee disqualification list pursuant to section 660.315, nor to persons disqualified from employment due to any crime pursuant to the provisions of chapter 566 or section 565.020, 565.021, 568.020, 568.060, 569.025, or 569.070.

5. An applicant for a [direct care] position in any public or private facility, day program, residential facility, or specialized service operated, **licensed, certified, accredited, in possession of deemed status, or funded**[, or licensed] by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632 shall:

- (1) Sign a consent form as required by section 43.540 to provide written consent for a criminal record review;
- (2) Disclose the applicant's criminal history. For the purposes of this subdivision "criminal history" includes any suspended imposition of sentence, any suspended execution of sentence, or any period of probation or parole; and
- (3) Disclose if the applicant is listed on the employee disqualification list as provided in section 660.315, or the department of mental health disqualification registry as provided for in this section.

6. Any person who has received a good cause waiver issued by the [division of] **department of health and senior services** or its predecessor under subsection 9 of section 660.317 shall not require an additional exception under this section in order to be employed in a long-term care facility licensed under chapter 198.

7. Any public or private residential facility, day program, or specialized service **operated, licensed, certified, accredited, in possession of deemed status, or funded** by the department **or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632** shall, not later than two working days after hiring any person for a full-time, part-time, or temporary position that will have contact with clients, residents, or patients:

- (1) Request a criminal background check as provided in section 43.540;
- (2) Make an inquiry to the department of social services and department of health and senior services to determine whether the person is listed on the employee disqualification list as provided in section 660.315; and
- (3) Make an inquiry to the department of mental health to determine whether the person is listed on the disqualification registry as provided in this section.

8. An applicant who knowingly fails to disclose his or her criminal history as required in subsection 5 of this section is guilty of a class A misdemeanor. A provider is guilty of a class A misdemeanor if the provider hires a person to hold a direct-care position knowing that such person has been disqualified pursuant to the provisions of subsection [1 or] 2 of this section. **A provider is guilty of a class A misdemeanor if the provider hires a person to hold any position knowing that such person has been disqualified pursuant to the provisions of subsection 1 of this section.**

9. **Any public or private residential facility, day program, or specialized service operated, licensed, certified, accredited, in possession of deemed status or funded by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632 that declines to employ or discharges a person who is disqualified pursuant to the provisions of subsection 1 or 2 of this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the discharge of the person due to disqualification.**

10. **Any employer who is required to discharge an employee because the employee was placed on a disqualification registry maintained by the department of mental health after the date of hire shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge pursuant to section 288.100.**

11. The department [may] **shall** maintain a disqualification registry and place on the registry the names of any persons who have been finally determined by the department to be disqualified [pursuant to this section, or who have had] **based upon** administrative substantiations made against them for abuse or neglect pursuant to department rule **or regulation**. Such list shall reflect that the person is barred from holding any position in any public or private facility [or], day program, **residential facility, or specialized service operated, licensed, certified, accredited, in possession of deemed status, or funded** [or licensed] by the department, or any mental health facility or mental health program in which persons are admitted on a voluntary basis or are civilly detained pursuant to chapter 632. **The length of time the person's name shall appear on the disqualification registry shall be determined by the director or the director's designee, based upon the criteria contained in subsection 13 of this section.**

12. **Persons notified that their name will be placed on the disqualification registry may appeal such determination pursuant to department rule or regulation. If the person appeals, the hearing tribunal shall not modify the length of time the person's name shall appear on the disqualification registry if the hearing tribunal upholds all of the administrative substantiations made by the director or the director's designee. If the hearing tribunal overturns part of the administrative substantiations made by the director or the director's designee, the hearing tribunal may consider modifying the length of time the person's name shall appear on the disqualification registry based upon testimony and evidence received during the hearing.**

13. The length of time the person's name shall appear on the disqualification registry shall be determined by the director or the director's designee based upon the following:

- (1) Whether the person acted recklessly or knowingly, as defined in chapter 562;
- (2) The degree of actual or potential injury or harm to the patient, resident, or client;
- (3) The degree of actual or potential danger to the health, safety, or welfare of the patient, resident, or client;
- (3) The degree of misappropriation or conversion of patient, resident, or client funds or property;
- (4) Whether the person has previously been listed on the department's disqualification registry;
- (5) Any mitigating circumstances; and
- (6) Any aggravating circumstances.

14. The department shall provide the disqualification registry maintained pursuant to this section to other state and federal agencies upon request. The department may provide the disqualification registry maintained pursuant to this section to any public or private facility, day program, residential facility, or specialized service operated, licensed, certified, accredited, in possession of deemed status, or funded by the department or to any mental health facility or mental health program in which people are admitted on a voluntary or involuntary basis or are civilly detained pursuant to chapter 632. The department may also provide the disqualification registry to a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations are included in the employee disqualification registry."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section 630.945, Line 4, by inserting immediately after "630.945." the following:

"Beginning July 1, 2013,".

Senate Amendment No. 4

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section Title, Lines 3-4 of said page, by striking the following:

"employees of certain mental health facilities" and inserting in lieu thereof the following: "facilities that conduct mental health services"; and

Further amend said bill and page, Section 630.945, Line 10 of said page, by inserting after all of said line the following:

"632.501. If the director of the department of mental health determines that the person's mental abnormality has so changed that the person is not likely to commit acts of sexual violence if released, the director shall authorize the person to petition the court for release. The petition shall be served upon the court that committed the person, **the prosecutor of the jurisdiction into which the committed person is to be released**, the director of the department of mental health, the head of the facility housing the person, and the attorney general. The hearing and trial, if any, shall be conducted according to the provisions of section 632.498."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section Title, Lines 3-4 of said page, by striking the following:

"employees of certain mental health facilities" and inserting in lieu thereof the following: "facilities that conduct mental health services"; and

Further amend said bill and page, Section A, Line 3 of said page, by inserting after all of said line the following:

"559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

- (1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;**
- (2) Have been found guilty of, or plead guilty to, forcible rape under section 566.030;**
- (3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;**
- (4) Have been found guilty of, or plead guilty to, forcible sodomy under section 566.060;**
- (5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;**
- (6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;**
- (7) Have been found to be a predatory sexual offender under section 558.018; or**
- (8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.**

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section Title, Lines 3-4, by striking the words "employees of certain mental health facilities" and inserting in lieu thereof the following:

"employee hours and identity"; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said line the following:

"407.1355. 1. Except as provided in this section a person or entity, not including a state or local agency, shall not do any of the following:

(1) Publicly post or publicly display in any manner an individual's Social Security number. "Publicly post" or "publicly display" is defined in this section to intentionally communicate or otherwise make available to the general public or to an individual's co-workers;

(2) Require an individual to transmit his or her Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted;

(3) Require an individual to use his or her Social Security number to access an internet website, unless a password, unique personal identification number, or other authentication device is also required to access the internet website;

(4) Require an individual to use his or her Social Security number as an employee number for any type of employment-related activity;

(5) Require an individual to use the last four digits of his or her Social Security number as an employee number for any type of employment-related activity.

2. The provisions of [subsection 1 of this section apply only to the use of Social Security numbers on or after January 1, 2006] **subdivision (5) of subsection 1 of this section shall only apply to such use after December 31, 2015.**

3. This section does not prevent the collection, use, or release of a Social Security number as required by state or federal law or the use of a Social Security number for internal verification or administrative purposes.

4. This section does not apply to documents that are recorded or required to be open to the public pursuant to chapter 610. This section does not apply to records that are required by statute, case law, or Missouri court rules to be made available to the public.

5. If a federal law takes effect requiring the United States Department of Health and Human Services to establish a national unique patient health identifier program, any person or entity that complies with the federal law shall be deemed in compliance with this section."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 769, as amended**: Senators Kraus, Rupp, Kehoe, Green and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 813, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

THIRD READING OF SENATE BILL

HCS SS SCS SB 755, relating to public safety, was taken up by Representative Cookson.

Representative Cookson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 5, Section 304.823, Line 67, by inserting after all of said section and line the following:

"306.111. 1. A person commits the crime of negligent operation of a vessel if when operating a vessel he or she acts with criminal negligence, as defined in subsection 5 of section 562.016, to cause physical injury to any other person or damage to the property of any other person. A person convicted of negligent operation of a vessel is guilty of a class B misdemeanor upon conviction for the first violation, guilty of a class A misdemeanor upon conviction for the second violation, and guilty of a class D felony for conviction for the third and subsequent violations.

2. A person commits the crime of operating a vessel while intoxicated if he or she operates a vessel on the [Mississippi River, Missouri River or the lakes] **waters** of this state while in an intoxicated condition. Operating a vessel while intoxicated is a class B misdemeanor.

3. A person commits the crime of involuntary manslaughter with a vessel if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause the death of any person. Involuntary manslaughter with a vessel is a class C felony.

4. A person commits the crime of assault with a vessel in the second degree if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause physical injury to any other person. Assault with a vessel in the second degree is a class D felony.

5. For purposes of this section, a person is in an intoxicated condition when he or she is under the influence of alcohol, a controlled substance or drug, or any combination thereof.

306.112. 1. A person commits the crime of operating a vessel with excessive blood alcohol content if such person operates a vessel on the [Mississippi River, Missouri River or the lakes] **waters** of this state with eight-hundredths of one percent or more by weight of alcohol in such person's blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, urine, or saliva.

3. Operating a vessel with excessive blood alcohol content is a class B misdemeanor.

306.113. 1. For purposes of sections [306.111] **306.110** to 306.119, the term "operate" means to physically control the movement of a vessel in motion under mechanical or sail power in water.

2. No arrest shall be made under sections [306.111] **306.110** to 306.119 unless probable cause exists for that arrest.

306.114. 1. No person convicted of or pleading guilty to a violation of section **306.110**, 306.111 or 306.112 shall be granted a suspended imposition of sentence, unless such person is placed on probation for a minimum of two years and a record of the conviction or plea of guilty is entered into the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol.

2. Chemical tests of a person's blood, breath, urine, or saliva to be considered valid under the provisions of sections [306.111] **306.110** to 306.119 shall be performed according to methods and devices approved by the department of health and senior services by licensed medical personnel or by a person possessing a valid permit issued by the department of health and senior services for this purpose. In addition, any state, county, or municipal law enforcement officer who is certified pursuant to chapter 590 may, prior to arrest, administer a portable chemical test to any person suspected of operating any vessel in violation of section **306.110**, 306.111, or 306.112. A portable chemical test shall be admissible as evidence of probable cause to arrest and as exculpatory evidence, but shall not be admissible as evidence of blood alcohol content. The provisions of section 306.116 shall not apply to a test administered prior to arrest pursuant to this section.

3. The department of health and senior services shall approve satisfactory techniques, devices, equipment, or methods to conduct tests required by sections [306.111] **306.110** to 306.119, and shall establish standards as to the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination, suspension or revocation by the department of health and senior services.

4. A licensed physician, registered nurse, or trained medical technician, acting at the request and direction of a law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless the medical personnel, in the exercise of good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test or a urine or saliva specimen. In withdrawing blood for the purpose of determining the alcohol content in the blood, only a previously unused and sterile needle and sterile vessel shall be used and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to such person.

5. No person who administers any test pursuant to the provisions of sections [306.111] **306.110** to 306.119 upon the request of a law enforcement officer, no hospital in or with which such person is employed or is otherwise associated or in which such test is administered, and no other person, firm, or corporation by whom or with which such person is employed or is in any way associated shall be civilly liable for damages to the person tested, except for negligence in administering of the test or for willful and wanton acts or omissions.

6. Any person who is dead, unconscious or who is otherwise in a condition rendering such person incapable of refusing to take a test as provided in sections [306.111] **306.110** to 306.119 shall be deemed not to have withdrawn the consent provided by section 306.116 and the test or tests may be administered.

306.116. 1. Any person who operates a vessel upon the [Mississippi River, Missouri River or the lakes] **waters** of this state shall be deemed to have given consent to, subject to the provisions of sections [306.111] **306.110** to 306.119, a chemical test or tests of such person's breath, blood, urine, or saliva for the purpose of determining the alcohol or drug content of such person's blood if arrested for any offense arising out of acts which the arresting law enforcement officer had reasonable grounds to believe were committed while the person was operating a vessel upon the [Mississippi River, Missouri River or lakes] **waters** of this state in violation of section **306.110**, 306.111, or 306.112. The test shall be administered at the direction of the arresting law enforcement officer whenever the person has been arrested for the offense.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident, or charge.

3. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of such person's choosing and at such person's expense administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

4. Upon the request of the person who is tested, full information concerning the test shall be made available to such person.

306.117. 1. Upon the trial of any person for violation of any of the provisions of section **306.110**, 306.111, or 306.112 the amount of alcohol or drugs in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, urine, or saliva is admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible. Evidence of alcohol in a person's blood shall be given the following effect:

(1) If there was five-hundredths of one percent or less by weight of alcohol in such person's blood, it shall be presumed that the person was not intoxicated at the time the specimen was obtained;

(2) If there was in excess of five-hundredths of one percent but less than eight-hundredths of one percent by weight of alcohol in such person's blood, the fact shall not give rise to any presumption that the person was or was not intoxicated, but the fact may be considered with other competent evidence in determining whether the person was intoxicated;

(3) If there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken.

2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood.

3. A chemical analysis of a person's breath, blood, urine, or saliva, in order to give rise to the presumption or to have the effect provided for in subsection 1 of this section, shall have been performed as provided in sections [306.111] **306.110** to 306.119 and in accordance with methods and standards approved by the department of health and senior services.

4. The provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated or under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol.

306.118. 1. For purposes of this section, unless the context clearly indicates otherwise, the following terms mean:

(1) "Aggravated offender", a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related boating offenses; or
(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024**; assault with a vessel in the second degree under subsection 4 of section 306.111, or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) "Chronic offender":

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related boating offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024**; assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024**; assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) "Intoxication-related boating offense", operating a vessel while intoxicated under subsection 2 of section 306.111; operating a vessel with excessive blood alcohol content under section 306.112; involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024**; assault with a vessel in the second degree under subsection 4 of section 306.111; any violation of subsection 2 of section 306.110; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(4) "Persistent offender", one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter under subsection 3 of section 306.111, **involuntary manslaughter involving a vessel under section 565.024**, assault in the second degree under subsection 4 of section 306.111, assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(5) "Prior offender", a person who has pleaded guilty to or has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section, nor sentence such person to pay a fine in lieu of a term of imprisonment, notwithstanding the provisions of section 557.011 to the contrary notwithstanding. No prior offender shall be eligible for parole or probation until he or she has served a minimum of five days imprisonment, unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service. No persistent offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment, unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court. No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment. No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

306.119. 1. If an arresting officer requests a person under arrest to submit to a chemical test, such request shall include the reasons of the officer for requesting the person to submit to a test and shall inform the person that he or she may refuse such request but that such person's refusal may be used as evidence against him or her. If a person refuses a test as provided in this subsection, no test shall be given.

2. If a person refuses to submit to a chemical test of such person's breath, blood, urine, or saliva and that person stands trial for the crimes provided in section **306.110**, 306.111, or 306.112, such refusal may be admissible into evidence at the trial.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Dugger
Entlicher	Fisher	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Leach	Leara	Lichtenegger	Long	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil

Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Cierpiot	Day	Denison	Diehl
Elmer	Fitzwater	Franklin	Hughes	Lasater
Lauer	Loehner	Marshall	May	McNary
Nasheed	Quinn	Reiboldt	Richardson	Stream
Zerr	Mr Speaker			

Representative Cookson moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Schatz offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said line the following:

"195.417. 1. The limits specified in this section shall not apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person, **pharmacist, intern pharmacist, or registered pharmacist technician** shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than [nine grams, without regard to the number of transactions] **two and eighty-eight one hundredths grams per transaction. Within any twelve-month period, the total amount of all individual transactions under this subsection shall not exceed an aggregate amount of twenty-three and nine one hundredths grams.**

3. [Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than three and six-tenths grams without regard to the number of transactions] **Upon written application of a manufacturer, the department of health and senior services may exempt by rule any product containing any compound, mixture, or preparation containing any detectable quantity of ephedrine,**

phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers from the application of all or any part of this section because the product is proven to not be feasible for the conversion of the active ingredient into methamphetamine or its salts or precursors. For purposes of this subdivision, "proven" includes but is not limited to the fact that the compound, mixture, or preparation releases less than five percent of the active ingredient used for conversion into methamphetamine or its salts or precursors. Upon notification from the state highway patrol that the patrol has probable cause to believe that a product exempted under this subdivision is feasible for the conversion of the active ingredient into methamphetamine or its salts or precursors, the department may issue an emergency rule revoking the exemption for the product pending a full hearing.

4. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

5. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.

6. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

7. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

8. Within thirty days of June 15, 2005, all persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

9. Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Cox offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said section and line the following:

"195.246. 1. It is unlawful for any person to possess any methamphetamine precursor drug with the intent to manufacture amphetamine, methamphetamine or any of their analogs.

2. Possession of more than [twenty-four] **fifteen** grams of any methamphetamine precursor drug or combination of methamphetamine precursor drugs shall be prima facie evidence of intent to violate this section. This subsection shall not apply to any practitioner or to any product possessed in the course of a legitimate business.

3. A person who violates this section is guilty of a class D felony.

195.417. 1. The limits specified in this section shall not apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any total amount greater than [nine] **seven and one-half** grams, without regard to the number of transactions.

3. Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any total amount greater than three and six-tenths grams without regard to the number of transactions.

4. **Within any twelve-month period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:**

- (1) The sole active ingredient; or**
- (2) One of the active ingredients of a combination drug; or**

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any total amount greater than sixty grams without regard to the number of transactions.

The monthly and annual purchase limits contained in this section shall include any quantities of such products that are purchased in other states, where such other state is utilizing the same electronic tracking system utilized in this state.

5. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

[5.] 6. Each pharmacy and pharmacist licensed in this state shall have the discretion to, in good faith, refuse to sell, dispense, or otherwise provide any individual with any methamphetamine precursor drug and such pharmacy shall not be subject to criminal or civil liability for failure to sell, dispense, or otherwise provide such methamphetamine precursor drug.

7. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.

[6.] 8. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

[7.] 9. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

[8.] 10. Within thirty days of June 15, 2005, all persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

[9.] 11. Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor.

195.419. Any person who has been found guilty or pled guilty or nolo contendere to any felony drug crime shall be required to obtain a prescription to purchase, receive, or otherwise acquire any drug or drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers.”; and

Further amend said bill, Section 650.120, Page 30, Line 81, by inserting after all of said section and line the following:

“Section 1. In order to protect the privacy interests of persons purchasing controlled substances, the department of public safety shall implement a method of coordination between the MULES system and any electronic tracking system which tracks purchases of controlled substances. If the purchase of a controlled substance is denied due to a felony drug conviction by the purchaser or such purchase would exceed the purchaser's allowable limit, the only notation in the MULES system and electronic tracking system shall be "sale denied" without disclosure of the reason for such denial.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000

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ABSENT WITH LEAVE: 016

Crawford	Diehl	Dugger	Elmer	Franklin
Guernsey	Hubbard	Hughes	Lasater	Lauer
Long	May	Richardson	Swearingen	Taylor
Mr Speaker				

On motion of Representative Cox, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 096

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 50
Brown 116	Burlison	Carlson	Carter	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cox
Curtman	Davis	Day	Denison	Ellinger
Ellington	Elmer	Fallert	Flanigan	Franz
Frederick	Funderburk	Grisamore	Guernsey	Haefner
Harris	Hodges	Holsman	Hoskins	Hough
Hummel	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Koenig	Lair
Lampe	Lant	Largent	Leach	Leara
Marshall	May	McCaherty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Morgan	Nance	Newman	Oxford	Pace
Parkinson	Pierson	Pollock	Reiboldt	Riddle
Rizzo	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shumake	Smith 150	Sommer	Swinger	Talboy
Thomson	Torpey	Walton Gray	Webber	White
Wieland				

NOES: 046

Anders	Atkins	Brandom	Brown 85	Cauthorn
Cookson	Cross	Dugger	Fisher	Fitzwater
Fuhr	Gosen	Hampton	Higdon	Hinson
Houghton	Johnson	Klippenstein	Korman	Kratky
Lichtenegger	Loehner	Long	McCann Beatty	McGeoghegan
Montecillo	Nichols	Phillips	Quinn	Redmon
Richardson	Rowland	Schatz	Shively	Smith 71
Solon	Spreng	Still	Stream	Taylor
Wallingford	Wells	Weter	Wright	Wyatt
Zerr				

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 020

Crawford	Dieckhaus	Diehl	Entlicher	Fraker
Franklin	Gatschenberger	Hubbard	Hughes	Kelly 24
Lasater	Lauer	McCreery	Nasheed	Neth
Nolte	Silvey	Swearingen	Webb	Mr Speaker

HCS SS SCS SB 755, as amended, was laid over.

SS SCS SB 633, relating to scrap metal operators, was taken up by Representative Largent.

Representative Flanigan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 633, Page 1, Line 3 of the Title, by deleting the words “scrap metal operators” and inserting in lieu thereof the words “the department of revenue”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after said line the following:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420.**

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. [He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales

tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations

or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement,

liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for

certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department.

105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five

hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) **A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or**

(2) **In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.**

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.] 7. Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.] 8. For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

- (1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;
- (2) A decision of a court of competent jurisdiction or the administrative hearing commission; or
- (3) Changes in regulations or policy by the department of revenue.

[7.] 9. Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director

of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.] 10. If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied.”; and

Further amend said bill, Page 4, Section 301.227, Line 112, by inserting after all of said section, the following:

“Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Cross	Curtman	Davis	Day	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	Molendorp
Nance	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nichols	Oxford	Pace	Pierson

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Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 021

Colona	Conway 14	Crawford	Denison	Dieckhaus
Diehl	Franklin	Hughes	Lasater	Lauer
May	McCreery	McGhee	McNary	Nasheed
Neth	Newman	Nolte	Webb	Wells
Mr Speaker				

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

On motion of Representative Largent, **SS SCS SB 633, as amended**, was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Cross
Curtman	Davis	Day	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 001

Carter

PRESENT: 000

ABSENT WITH LEAVE: 023

Conway 14	Crawford	Denison	Diehl	Franklin
Fuhr	Gosen	Hughes	Kelley 126	Kelly 24
Lant	Lasater	Lauer	McCreery	McDonald
McNary	Nolte	Reiboldt	Schad	Schatz
Schneider	Spreng	Mr Speaker		

Representative Funderburk declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SB 813, as amended, relating to financial transactions, was taken up by Representative Dieckhaus.

Representative Dieckhaus moved that the House refuse to recede from its position on **HCS SB 813, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 813: Representatives Richardson, Franz, Dieckhaus, McCann Beatty and Rizzo

HOUSE BILL WITH SENATE AMENDMENTS

SS HB 1318, as amended, relating to mental health facility employees, was taken up by Representative Riddle.

Representative Riddle moved that the House refuse to adopt **SS HB 1318, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

On motion of Representative Jones (89), the House recessed until 6:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 22**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 25**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 31**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 42**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 43**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 46**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 49**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has take up and passed **HB 1131**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1135, as amended**, and has taken up and passed **CCS SCS HB 1135**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS#2 SCS HB 1170, as amended**: Senators Parson, Schmitt, Mayer, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1251**, entitled:

An act to repeal sections 59.319, 60.510, 60.530, 60.540, 60.560, 60.570, 60.580, 60.590, 60.595, 60.610, 60.620, 67.4505, 259.010, 259.020, 259.030, 259.040, 259.070, 260.255, 260.330, 260.392, 292.606, 301.010, 304.120, 414.530, 414.560, 414.570, 577.073, 621.250, 640.018, 640.100, 643.130, 643.225, 644.016, 644.026, 644.051, 644.071, 644.145, and 650.230, RSMo, and to enact in lieu thereof forty new sections relating to natural resources, with existing penalty provisions and an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Page 2, Section 29.380, Line 10, by inserting at the end of said line the following:

"The state auditor may request reimbursement from the district for the costs of conducting the audit."

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Page 112, Section 650.230, Line 23 of said page, by inserting immediately after said line the following:

"701.550. 1. As used in this section the following terms mean:

- (1) "Anemometer", an instrument for measuring and recording the speed of the wind;**
- (2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;**
- (3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.**

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

3. A violation of this section is a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Page 23, Section 260.330, Line 13 of said page, by striking the following: "2015" and inserting in lieu thereof the following:

"**2017**"; and

Further amend Line 21 of said page, by striking the following: "2015" and inserting in lieu thereof the following:

"**2017**"; and

Further amend said bill and section, Page 25, Line 9 of said page, by striking the following: "2015" and inserting in lieu thereof the following:

"**2017**"; and

Further amend Line 17 of said page, by striking the following: "2015" and inserting in lieu thereof the following:

"**2017**".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HB 1318, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Kehoe, Munzlinger, Richard, McKenna and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1644**, entitled:

An act to repeal section 313.807, RSMo, and to enact in lieu thereof one new section relating to the licensing period for certain licenses issued by the Missouri gaming commission.

With Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended.

*Senate Amendment No. 1
to
Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to House Committee Substitute for House Bill No. 1644, Page 1, Line 3, by striking the word "three" and inserting in lieu thereof the following:

"**Four**".

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1644, Page 2, Section 313.807, Line 21, by striking the word “five” and inserting in lieu thereof “**three**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1647**, entitled:

An act to repeal sections 259.010, 259.020, 259.030, 259.040, 259.070, 260.392, 292.606, 301.010, 320.106, 320.131, 320.136, 414.530, 414.560, 414.570, and 650.230, RSMo, and to enact in lieu thereof seventeen new sections relating to public safety, with an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 9.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 54, Section 650.230, Line 27 of said page, by inserting immediately after said line the following:

"701.550. 1. As used in this section the following terms mean:

- (1) "Anemometer", an instrument for measuring and recording the speed of the wind;**
- (2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;**
- (3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.**

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

- (1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;**
- (2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;**
- (3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and**
- (4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.**

3. A violation of this section is a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26, by inserting immediately after said line, the following:

"571.020. 1. A person commits a crime if such person knowingly possesses, manufactures, transports, repairs, or sells:

- (1) An explosive weapon;
- (2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;
- (3) A gas gun;
- (4) [A switchblade knife;
- (5)] A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; or
- [(6)] **(5)** Knuckles; or
- [(7)] **(6)** Any of the following in violation of federal law:
 - (a) A machine gun;
 - (b) A short-barreled rifle or shotgun; [or]
 - (c) A firearm silencer; **or**
 - (d) A switchblade knife.**

2. A person does not commit a crime pursuant to this section if his conduct involved any of the items in subdivisions (1) to [(6)] **(5)** of subsection 1, the item was possessed in conformity with any applicable federal law, and the conduct:

- (1) Was incident to the performance of official duty by the armed forces, national guard, a governmental law enforcement agency, or a penal institution; or
- (2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subdivision (1) of this section; or
- (3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or
- (4) Was incident to displaying the weapon in a public museum or exhibition; or
- (5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic performance.

3. A crime pursuant to subdivision (1), (2), (3) or [(7)] **(6)** of subsection 1 of this section is a class C felony; a crime pursuant to subdivision (4)[,] **or** (5) [or (6)] of subsection 1 of this section is a class A misdemeanor.

571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

- (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or
- (2) Sets a spring gun; or
- (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or
- (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or
- (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;
- (6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or
- (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or
- (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or
- (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 11 of this section, and who carry the identification defined in subsection 12 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; and

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of age or older **or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces**, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any

school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

11. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

12. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

571.037. Any person who has a valid concealed carry endorsement, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.

571.092. 1. Any individual who has been adjudged incapacitated under chapter 475, who has been involuntarily committed under chapter 632, or who is otherwise subject to the firearms-related disabilities of 18 U.S.C. Section 922(d)(4) or (g)(4) as a result of an adjudication or commitment that occurred in this state may file a petition for the removal of the disqualification to ship, transport, receive, purchase, possess, or transfer a firearm imposed under 18 U.S.C. Section 922(d)(4) or (g)(4) and the laws of this state.

2. The petition shall be filed in the circuit court with jurisdiction in the petitioner's place of residence or that entered the letters of guardianship or the most recent order for involuntary commitment, or the most recent disqualifying order, whichever is later. The petition shall include:

- (1)** The circumstances regarding the firearms disabilities;
- (2)** The applicant's record which at a minimum shall include the applicant's mental health and criminal history records, if any;
- (3)** The applicant's reputation through character witness statements, testimony, or other character evidence; and
- (4)** Any other information or evidence relevant to the relief sought, including but not limited to evidence concerning any changes in the petitioner's condition since the disqualifying commitment or adjudication occurred.

Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.

3. The court shall grant the requested relief if it finds by clear and convincing evidence that:

- (1)** The petitioner will not be likely to act in a manner dangerous to public safety; and
- (2)** Granting the relief is not contrary to the public interest.

4. In order to determine whether to grant relief under this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the petitioner or by the local prosecuting attorney, circuit attorney, or attorney general. A record shall be kept of the proceedings.

5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict it from public disclosure, unless it finds that the public interest would be better served by making the record public.

6. The court shall include in its order the specific findings of fact on which it bases its decision.

7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS). The Missouri state highway patrol shall contact the Federal Bureau of Investigation to effect this updating no later than twenty-one days from receipt of the order.

8. Any person who has been denied a petition for the removal of the disqualification to ship, transport, receive, purchase, possess, or transfer a firearm under this section shall not be eligible to file another petition for removal of such disqualification until the expiration of one year from the date of such denial.

9. In the event a petition is denied under this section, the petitioner may appeal such denial, and review shall be de novo.

571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

- (1) Is at least twenty-one years of age, is a citizen of the United States and either:
 - (a) Has assumed residency in this state; or
 - (b) Is a member of the armed forces stationed in Missouri, or the spouse of such member of the military;
 - (2) **Is at least twenty-one years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:**
 - (a) Has assumed residency in this state;**
 - (b) Is a member of the armed forces stationed in Missouri; or**
 - (c) The spouse of such member of the military stationed in Missouri and twenty-one years of age;**
 - (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
 - [(3)] (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;
 - [(4)] (5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
 - [(5)] (6) Has not been discharged under dishonorable conditions from the United States armed forces;
 - [(6)] (7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;
 - [(7)] (8) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;
 - [(8)] (9) Submits a completed application for a certificate of qualification as described in subsection 3 of this section;
 - [(9)] (10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;
 - [(10)] (11) Is not the respondent of a valid full order of protection which is still in effect.
3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:
- (1) The applicant's name, address, telephone number, gender, and date and place of birth;
 - (2) An affirmation that the applicant has assumed residency in Missouri or is a member of the armed forces stationed in Missouri or the spouse of such a member of the armed forces and is a citizen of the United States;
 - (3) An affirmation that the applicant is at least twenty-one years of age **or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;**
 - (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
 - (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;
 - (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States armed forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section.

The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.111. 1. An applicant for a concealed carry endorsement shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry endorsement:

(1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or

(2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

(4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or

(5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or

(6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her by section 217.105, that includes instruction on the justifiable use of force as prescribed in chapter 563; or

(7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms safety course of at least eight hours in length taught by the instructor that included:

(1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;

(2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or her marksmanship with both;

(3) The basic principles of marksmanship;

(4) Care and cleaning of concealable firearms;

(5) Safe storage of firearms at home;

(6) The requirements of this state for obtaining a certificate of qualification for a concealed carry endorsement from the sheriff of the individual's county of residence and a concealed carry endorsement issued by the department of revenue;

- (7) The laws relating to firearms as prescribed in this chapter;
 - (8) The laws relating to the justifiable use of force as prescribed in chapter 563;
 - (9) A live firing exercise of sufficient duration for each applicant to fire both a revolver and a semiautomatic pistol, from a standing position or its equivalent, a minimum of fifty rounds from each handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;
 - (10) A live fire test administered to the applicant while the instructor was present of twenty rounds from each handgun from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.
3. A qualified firearms safety instructor shall not give a grade of passing to an applicant for a concealed carry endorsement who:
- (1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or
 - (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or
 - (3) During the live fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds, with both handguns.
4. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry endorsement shall:
- (1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;
 - (2) Maintain all course records on students for a period of no less than four years from course completion date; and
 - (3) Not have more than forty students in the classroom portion of the course or more than five students per range officer engaged in range firing.
5. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any sheriff issuing a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121 if the instructor:
- (1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or
 - (2) Submits a photocopy of a certificate from a firearms safety instructor's course offered by a local, state, or federal governmental agency; or
 - (3) Submits a photocopy of a certificate from a firearms safety instructor course approved by the department of public safety; or
 - (4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or
 - (5) Is a certified police officer firearms safety instructor.
6. Any firearms safety instructor who knowingly provides any sheriff with any false information concerning an applicant's performance on any portion of the required training and qualification shall be guilty of a class C misdemeanor.

571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of, Missouri

....., PLAINTIFF

)

)

vs.) Case Number

)

....., DEFENDANT,

Carry Endorsement Holder

....., DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION

OF CERTIFICATE OF QUALIFICATION

OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant,, has a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and that the defendant's certificate of qualification or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a certificate or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant,, never was or no longer is eligible for such certificate or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

☐ Defendant is not at least twenty-one years of age **or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.**

☐ Defendant is not a citizen of the United States.

☐ Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.

☐ Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

☐ Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been discharged under dishonorable conditions from the United States armed forces.

☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.

☐ Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.

☐ Defendant failed to submit a completed application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

☐ Defendant failed to submit to or failed to clear the required background check.

☐ Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121, at the time of issuance or renewal or is no longer eligible for a certificate of qualification or the concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the certificate of qualification or concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against an endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to

harass the endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a certificate of qualification or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and

Further amend said bill, Page 54, Section 650.230, Line 27, by inserting after all of said line, the following:

"[475.375. 1. Any individual over the age of eighteen years who has been adjudged incapacitated under this chapter or who has been involuntarily committed under chapter 632 may file a petition for the removal of the disqualification to purchase, possess, or transfer a firearm when:

(1) The individual no longer suffers from the condition that resulted in the individual's incapacity or involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. No individual who has been found guilty by reason of mental disease or defect may petition a court for restoration under this section.

2. The petition shall be filed in the circuit court that entered the letters of guardianship or the most recent order for involuntary commitment, whichever is later. Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.

3. The burden is on the petitioner to establish by clear and convincing evidence that:

(1) The petitioner no longer suffers from the condition that resulted in the incapacity or the involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest.

4. Upon the filing of the petition the court shall review the petition and determine if the petition is based upon frivolous grounds and if so may deny the petition without a hearing. In order to determine whether petitioner has met the burden pursuant to this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the local prosecuting attorney, circuit attorney, or attorney general.

5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict from public disclosure, unless it finds that the public interest would be better served by making the record public.

6. The court shall enter an order that:

(1) The petitioner does or does not continue to suffer from the condition that resulted in commitment;

(2) The individual does or does not continue to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. The court shall include in its order the specific findings of fact on which it bases its decision.

7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS).

8. (1) Any person who has been denied a petition for the removal of the disqualification to purchase, possess, or transfer a firearm pursuant to this section shall not be eligible to file another petition for removal of the disqualification to purchase, possess, or transfer a firearm until the expiration of one year from the date of such denial.

(2) If a person has previously filed a petition for the removal of the disqualification to purchase, possess, or transfer a firearm and the court determined that:

(a) The petitioner's petition was frivolous; or

(b) The petitioner's condition had not so changed such that the person continued to suffer from the condition that resulted in the individual's incapacity or involuntary commitment and continued to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; or

(3) Granting relief under this section would be contrary to the public interest, then the court shall deny the subsequent petition unless the petition contains the additional facts upon which the court could find the condition of the petitioner had so changed that a hearing was warranted.]; and

Further amend Page 55, Section B, Line 1, by inserting after the word "law", the following:

"and to clarify the requirements for concealed carry endorsements"; and

Further amend Line 2, by striking the word "and"; and

Further amend said line, by inserting after "320.136", the following:

"and section 571.111"; and

Further amend Line 6, by striking the word "and"; and

Further amend said line, by inserting after "320.136", the following:

"and section 571.111"; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1
to
Senate Amendment No. 3*

AMEND Senate Amendment No. 3 to Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 2, Section 610.140, Line 8 of said page, by inserting immediately after "2." the following:

"The following offenses are eligible to be expunged when such offenses occurred within the state of Missouri and were prosecuted under the jurisdiction of a Missouri municipal associate or circuit court: (1)"; and

Further amend Line 11 of said page, by striking "is eligible to be expunged when such" and inserting in lieu thereof the following:

“;

(2) Any misdemeanor offense of sections 569.065, 569.067, 569.090, subdivision (1) of subsection 1 of section 569.120, sections 569.140, 569.145, 572.020, 574.020, or 574.075; or

(3) Any class B or C misdemeanor offense of section 574.010.”; and

Further amend Lines 12-14 of said page, by striking all of said lines.

Senate Amendment No. 3

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26 of said page, by inserting after all of said line the following:

“488.650. There shall be assessed as costs a surcharge in the amount of one hundred dollars on all petitions for expungement filed under the provisions of section 610.140. Such surcharge shall be collected and disbursed by the clerk of the court as provided by sections 488.010 to 488.020. Moneys collected from this surcharge shall be payable to the general revenue fund.

561.026. Notwithstanding any other provision of law **except for section 610.140**, a person who is convicted:

(1) Of any crime shall be disqualified from registering and voting in any election under the laws of this state while confined under a sentence of imprisonment;

(2) Of a felony or misdemeanor connected with the exercise of the right of suffrage shall be forever disqualified from registering and voting;

(3) Of any felony shall be forever disqualified from serving as a juror.

610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person was found guilty of any of the offenses specified in subsection 2 of this section for an order to expunge recordings of such arrest, plea, trial, or conviction. A person may apply to have one or more offenses expunged so long as such person lists all the offenses he or she is seeking to have expunged in the same petition and so long as all such offenses are eligible under subsection 2 of this section.

2. Any felony or misdemeanor offense of passing a bad check under 570.120, fraudulently stopping payment of an instrument under 570.125, or fraudulent use of a credit device or debit device under section 570.130 is eligible to be expunged when such felony or misdemeanor offense occurred within the state of Missouri, and was prosecuted under the jurisdiction of a Missouri municipal, associate, or circuit court.

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall be dismissed if it does not include the following information:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Driver's license number, if applicable; and

(e) Current address;

(2) Each offense charged against the petitioner for which the petitioner is requesting expungement;

(3) The date the petitioner was arrested for each offense;

(4) The name of the county where the petitioner was arrested for each offense and if any of the offenses occurred in a municipality, the name of the municipality for each offense;

(5) The name of the agency that arrested the petitioner for each offense;

(6) The case number and name of the court for each offense; and

(7) Petitioner's fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner.

5. The court may set a hearing on the matter no sooner than thirty days from the filing of the petition and shall give reasonable notice of the hearing to each entity named in the petition. At the hearing, the court may accept evidence and hear testimony on, and may consider, the following criteria for each of the offenses listed in the petition for expungement:

(1) It has been at least twenty years if the offense is a felony, or at least ten years if the offense is a misdemeanor, municipal offense, or infraction, since the person making the application completed:

(a) Any sentence of imprisonment; or

(b) Any period of probation or parole;
(2) The person has not been found guilty of a misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, during the time period specified for the underlying offense in subdivision (1) of this subsection;

(3) The person has paid any amount of restitution ordered by the court;

(4) The circumstances and behavior of the petitioner warrant the expungement; and

(5) The expungement is consistent with the public welfare.

6. If the court determines at the conclusion of the hearing that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses listed in the petition for expungement, the court may enter an order of expungement. A copy of the order shall be provided to each entity named in the petition, and, upon receipt of the order, each entity shall destroy any record in its possession relating to any offense listed in the petition. If destruction of the record is not feasible because of the permanent nature of the record books, such record entries shall be blacked out. Entries of a record ordered expunged shall be removed from all electronic files maintained with the state of Missouri, except for the files of the court. The records and files maintained in any administrative or court proceeding in a municipal, associate, or circuit court for any offense ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

7. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. Except as otherwise provided under this section, the effect of such order shall be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense to any court when asked or upon being charged with any subsequent offense. The expunged offense may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

8. Notwithstanding the provisions of subsection 7 of this section to the contrary, a person granted an expungement shall disclose any expunged offense when the disclosure of such information is necessary to complete any application for:

(1) A license, certificate, or permit issued by this state to practice such individual's profession;

(2) Any license issued under chapter 313; or

(3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency.

Notwithstanding any provision of law to the contrary, an expunged offense shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit.

9. If the court determines that such person has not met the criteria for any of the offenses listed in the petition for expungement, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

10. A person may be granted more than one expungement under this section provided that no person shall be granted more than one order of expungement from the same court. Nothing contained in this section shall prevent the court from maintaining records to ensure that an individual has only one petition for expungement granted by such court under this section.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 45, Section 320.136, Line 25 of said page, by inserting immediately after said line the following:

“321.228. 1. As used in this section, the following terms shall mean:

(1) “Residential construction”, new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) “Residential construction regulatory system”, any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.

321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part**, as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the Fire Protection Districts and the Fire Protection District be consolidated into one fire protection district to be known as the Fire Protection District, with tax levies not in excess of the following amounts:

maintenance fund cents per one hundred dollars assessed valuation; ambulance service cents per one hundred dollars assessed valuation; pension fund cents per one hundred dollars assessed valuation; and dispatching fund cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for House Committee Substitute for House Bill No 1647, Page 51, Section 414.570, Line 26, by inserting after all of said line the following:

“565.081. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. **As used in this section, the term “cable worker” means any employee including any person employed under contract, of a cable operator, as such term is defined in section 673.2677**

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer in the first degree is a class A felony.

565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, **highway worker in a construction zone or work zone, utility worker, cable worker**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. **As used in this section, the term "cable worker" means any employee, including any person employed under contract, of a cable operator, as such term is defined in section 67.2677.**

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence.

565.083. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer;

(2) Such person purposely places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer without the consent of the law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term “cable worker” means any employee, including any person employed under contract, of a cable operator, as such term is defined in section 67.2677.

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer in the third degree is a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 23, Section 292.606, Line 18, by inserting after all of said line the following:

"292.655. 1. For purposes of this section, the following terms mean:

(1) "Engineered injury protection device", a mechanical device or feature to a device that renders the needle incapable of inflicting a needlestick injury either by:

(a) Destruction of the medical needle sharp metal point at the point of procedure or use; or

(b) Covering the sharp end of the needle at the time the needle is removed from the skin of the subject human or animal. Recapping the medical needle with the original needle packaging cover is not considered an engineered injury protection device.

(2) "Medical needles", hypodermic needles or other similar hollow-bore needles, syringes, or blood extraction apparatus with a primary function to penetrate the skin of a living human or animal.

2. Employers that use medical needles in the routine course of conducting business in the state may use any commercially available engineered injury protection device that can be reasonably expected to reduce the risk of accidental needlestick injuries to employees, patients, or customers.

3. This section shall not apply to needles for sewing dead animal skins or parts, fish hooks, gaffs, animal tags, or other similar sharp objects related to animals but unrelated to healthcare or testing of live animals. This section shall not apply to any veterinary care provided by a licensed veterinarian or veterinary care provider in or outside of a designated veterinary office, including but not limited to, a ranch, farm, or private residence being provided in the scope of veterinary practices under chapter 340.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 1, Section A, Line 7, by inserting after all of said line the following:

“190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as “emergency services”, and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of
(insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants** that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. **Except as provided in subdivision (4) of this subsection**, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26, by inserting after all of said line the following:

"488.5026. 1. Upon approval of the governing body of a city, county, or a city not within a county, a surcharge of two dollars shall be assessed as costs in each court proceeding filed in any court in any city, county, or city not within a county adopting such a surcharge, in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the "Inmate **Prisoner Detainee** Security Fund". Funds deposited shall be utilized to **acquire and** develop biometric verification systems **and information sharing** to ensure that inmates, **prisoners, or detainees in a holding cell facility or other detention facility or area which hold persons detained only for a shorter period of time after arrest or after being formally charged** can be properly identified **upon booking** and tracked within **the local law enforcement administration system, criminal justice administration system, or** the local jail system. Upon the installation of the **information sharing or** biometric verification system, funds in the inmate **prisoner detainee** security fund may **also** be used for the maintenance, **repair, and replacement of the information sharing or** biometric verification system, and **also** to pay for any expenses related to **detention**, custody, and housing and other expenses for **inmates, prisoners, and detainees.”; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 54, Section 650.230, Line 27, by inserting after all of said line the following:

"Section 1. Notwithstanding any provision of section 292.655 to the contrary, employers that use medical needles in the routine course of conducting business in this state may use any Occupational Safety and Health Administration- or Food and Drug Administration-approved device.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SB 455, as amended**, and has taken up and passed **CCS#2 HCS SB 455**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 470, as amended**, and has taken up and passed **CCS HCS SS SCS SB 470**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS#2 SCS SB 480, as amended**, and has taken up and passed **CCS HCS#2 SCS SB 480**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **HCS SCS SB 485, as amended**, and has taken up and adopted **HCS SCS SB 485, as amended**, and has taken up and passed **HCS SCS SB 485, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 510, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **SCS SB 566, as amended**, and has taken up and adopted **HA 1** and **HA 2** to **SCS SB 566** and has taken up and passed **SCS SB 566, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 599, as amended**, and has taken up and passed **CCS SB 599**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 628, as amended**, and has taken up and passed **CCS HCS SB 628**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 631, as amended**, and has taken up and passed **CCS HCS SCS SB 631**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS for SB 701, as amended**, and requests the House recede from its position and take up and pass **SB 701**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SCS SB 729, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 813, as amended**: Senators Richard, Kehoe, Rupp, Justus and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 to SB 893**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 668: Representatives Diehl, Jones (89), Tilley, Talboy and Swearingen

THIRD READING OF SENATE BILL

HCS SS SCS SB 755, as amended, relating to public safety, was again taken up by Representative Cookson.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Section 210.1014, Line 36, by inserting after said line the following:

“301.4042. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Pony Express Museum in St. Joseph, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Pony Express Museum will provide a logo to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Pony Express Museum derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Pony Express Museum. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Pony Express Museum, the museum shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the rider on horseback emblem, and the words "Pony Express" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Pony Express Museum's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Pony Express Museum's emblem, as otherwise

provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Pony Express specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted.

Representative Wallingford offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Section 210.1014, Line 36, by inserting after all of said line the following:

"211.069. The amendments to sections 211.071 and 211.073 enacted by the ninety-sixth general assembly, second regular session, shall be known and may be cited as "Jonathan's Law".

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030, forcible sodomy under section 566.060, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

- (1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;
- (2) Whether the offense alleged involved viciousness, force and violence;
- (3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;
- (4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;
- (5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;
- (6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;
- (7) The age of the child;
- (8) The program and facilities available to the juvenile court in considering disposition;
- (9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and
- (10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

- (1) Findings showing that the court had jurisdiction of the cause and of the parties;
- (2) Findings showing that the child was represented by counsel;
- (3) Findings showing that the hearing was held in the presence of the child and his counsel; and
- (4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law **and the prosecution of the child results in a conviction**, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court [may] **shall**, in a case when the offender is under seventeen years **and six months** of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, [invoke] **consider** dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section [if:

- (1) A facility is designed and built by the division of youth services specifically for offenders sentenced pursuant to this section and if the division determines that there is space available, based on design capacity, in the facility; and

(2)];

(1) Upon agreement of the division of youth services; and

(2) If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section.

If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of seventeen, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wallingford, House Amendment No. 4 was adopted.

Representative Schad offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 22, Section 577.172, Line 11, by inserting after all of said section and line the following:

“589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is exempted from registering under subsection 8 of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual

in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia**, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration;

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or

(4) The registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the court orders the removal or exemption of such person from the registry.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall

be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, **or sexual misconduct in the second degree** and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

8. Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

9. (1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

10. Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of subsection 9 of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection 9 of this section.

11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 5** was adopted.

Representative Cauthorn offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 22, Section 575.080, Line 18, by inserting after all of said section and line the following:

“575.124. 1. No person shall attempt by means of any threat or violence to deter or prevent an inspector, agent, or other employee of the department of agriculture from performing any duties imposed by law upon such inspector, agent, or employee or the department.

2. Any person who violates the provisions of this section is guilty of a class B misdemeanor. Any second or subsequent violation of this section is a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 6** was adopted.

Representative Black offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Pages 22 and 23, Section 610.205, Lines 1 to 39, by deleting all of said lines and inserting in lieu thereof the following:

"610.205. 1. After an investigation is inactive, as defined in section 610.100, crime scene or death scene photographs and video recordings, including photographs and video recordings created or produced by a state or local agency or by a perpetrator or suspect at a crime scene, which depict or describe a deceased person in a state of dismemberment, decapitation, or similar mutilation including, without limitation, where the deceased person's genitalia are exposed, shall be considered open records for inspection, but closed records for purposes of copying under the provisions of this chapter. Unless dissemination is prohibited under 18 U.S.C. Section 2252, this section shall not prohibit disclosure of such material to:

(1) State and local law enforcement agencies, prosecuting attorneys, juvenile officers, courts and court personnel, coroners, the state technical assistance team, child fatality review panels, the department of social services, or other state or local officials who need access to the photograph and video recordings in order to perform their duties; and

(2) The deceased's nonoffending next of kin or to an individual who has secured a written release from the nonoffending next of kin. It shall be the responsibility of the nonoffending next of kin to show proof of the familial relationship. For purposes of such access, the deceased's nonoffending next of kin shall be:

(a) The spouse of the deceased if living;

(b) If there is no living spouse of the deceased, an adult child of the deceased; or

(c) If there is no living spouse or adult child, a parent of the deceased.

Any person who is otherwise a next of kin of the deceased under this section who has been found guilty of the crime that resulted in the deceased's death shall be an offending next of kin and shall not be authorized to access such records or consent to the disclosure of such materials under this section.

2. Subject to the provisions of subsection 3 of this section, in the case of closed criminal investigations a circuit court judge may order the disclosure of such photographs or video recordings not otherwise prohibited under 18 U.S.C. Section 2252 upon findings in writing that disclosure is in the public interest and outweighs any privacy interest that may be asserted by the deceased person's next of kin. In making such determination, the court shall consider whether such disclosure is necessary for public evaluation of governmental performance, the seriousness of the intrusion into the family's right to privacy, and whether such disclosure is the least intrusive means available considering the availability of similar information in other public records. In any such action, the court shall review the photographs or video recordings in question in camera with the custodian of the crime scene materials present and may condition any disclosure on such condition as the court may deem necessary to accommodate the interests of the parties.

3. Prior to releasing any crime scene material described in subsection 1 of this section, the custodian of such material shall give the deceased person's nonoffending next of kin at least two weeks' notice. No court shall

order a disclosure under subsection 2 of this section which would disregard or shorten the duration of such notice requirement. No court order or notification to the next of kin shall be required for the release or disclosure of information to state and local law enforcement agencies, prosecuting attorneys, juvenile officers, courts and court personnel, coroners, the state technical assistance team, child fatality review panels, the department of social services or other state or local officials who need access to the photograph and video recordings in order to perform their duties.

4. The provisions of this section shall apply to all undisclosed material which is in the custody of a state or local agency on the effective date of this section and to any such material which comes into the custody of a state or local agency after such date.

5. The provisions of this section shall not apply to disclosure of crime scene material to counsel representing a defendant. Unless otherwise prohibited under 18 U.S.C. Section 2252, counsel may disclose such materials to his or her client and any expert or investigator assisting counsel but shall not otherwise disseminate such materials, except to the extent they may be necessary exhibits in court proceedings. A request under this subsection shall clearly state that such request is being made for the purpose of preparing to file and litigate proceedings enumerated in this subsection."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 7** was adopted.

Representative Franz offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Section 455.513.3, Page 13, Line 11, by deleting the following: "jurisdiction under section 211.031" and inserting in lieu thereof the following:

"allegations of abuse under section 210.110"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 8** was adopted.

Representative Marshall offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 15, Section 488.5050, by deleting all of said section from the bill; and

Further amend said bill, Pages 23-27, Section 650.055, by deleting all of said section from the bill; and

Further amend said bill, Pages 27-28, Section 650.100, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 9** was adopted.

Representative Keeney offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 16, Section 527.290, Line 14, by inserting after all of said section and line the following:

“535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons, shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that the defendant has ten days from the date of the judgment to file a motion to set aside the judgment or to file an application for a trial de novo in the circuit court, as the case may be, and that unless the judgment is set aside or an application for a trial de novo is filed within ten days, the judgment will become final and the defendant will be subject to eviction from the premises without further notice.

5. If, after ten days from the date of the judgment the judgment is not set aside or an application for a trial de novo has not been filed, the defendant shall willfully refuse to vacate and surrender the possession of the premises to the plaintiff or the plaintiff's agent, the defendant shall be guilty of a class B misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schatz offered House Amendment No. 1 to House Amendment No. 10.

House Amendment No. 1

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Line 5, by inserting after line the following:

‘Further amend said bill, Page 3, Section 43.265, Line 36, by inserting after all of said line the following:

"195.417. 1. The limits specified in this section shall not apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person, **pharmacist, intern pharmacist, or registered pharmacist technician** shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than [nine grams, without regard to the number of transactions] **two and eighty-eight one hundredths grams per transaction. Within any twelve-month period, the total amount of all individual transactions under this subsection shall not exceed an aggregate amount of twenty-three and nine one hundredths grams.**

3. [Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than three and six-tenths grams without regard to the number of transactions] **Upon written application of a manufacturer, the department of health and senior services may exempt by rule any product containing any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers from the application of all or any part of this section because the product is proven to not be feasible for the conversion of the active ingredient into methamphetamine or its salts or precursors. For purposes of this subdivision, "proven" includes but is not limited to the fact that the compound, mixture, or preparation releases less than five percent of the active ingredient used for conversion into methamphetamine or its salts or precursors. Upon notification from the state highway patrol that the patrol has probable cause to believe that a product exempted under this subdivision is feasible for the conversion of the active ingredient into methamphetamine or its salts or precursors, the department may issue an emergency rule revoking the exemption for the product pending a full hearing.**

4. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

5. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.

6. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

7. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

8. Within thirty days of June 15, 2005, all persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

9. Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor."; and'; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Johnson	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Thomson	Torpey	Wallingford	Wells	Weter
White	Wright	Zerr		

NOES: 046

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Ellinger	Ellington	Fallert
Harris	Hodges	Hubbard	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 029

Aull	Colona	Conway 14	Conway 27	Dieckhaus
Diehl	Franklin	Franz	Holsman	Hough
Houghton	Hughes	Hummel	Jones 89	Kratky
Lair	Lauer	McDonald	McManus	McNary
Meadows	Scharnhorst	Schatz	Schneider	Stream
Webb	Wieland	Wyatt	Mr Speaker	

Representative Schatz moved that **House Amendment No. 1 to House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Black	Carlson	Cauthorn	Cross	Denison
Dieckhaus	Fitzwater	Fuhr	Gosen	Hampton
Higdon	Hinson	Hodges	Jones 117	Kelley 126
Klippenstein	Korman	Lant	Lichtenegger	McCaherty
Montecillo	Phillips	Reiboldt	Richardson	Rizzo
Schatz	Schieffer	Smith 71	Stream	Swearingen
Torpey	Wallingford	Weter	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 100

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cierpiot	Colona	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Day
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Frederick
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Harris	Holsman	Hoskins	Hubbard	Johnson
Jones 63	Jones 89	Keeney	Kelly 24	Kirkton
Koenig	Kratky	Lair	Lampe	Largent
Lasater	Leach	Leara	Marshall	May
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Molendorp	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pollock	Quinn	Redmon	Riddle
Rowland	Ruzicka	Sater	Schad	Schoeller
Schupp	Shively	Shumake	Silvey	Solon
Sommer	Spreng	Still	Talboy	Taylor
Thomson	Walton Gray	Webber	Wells	White

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 025

Brandom	Conway 27	Diehl	Franklin	Franz
Hough	Houghton	Hughes	Hummel	Kander
Lauer	Loehner	Long	McDonald	McGhee
McNary	Meadows	Pierson	Scharnhorst	Schieber
Schneider	Smith 150	Swinger	Webb	Wieland

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Johnson	Jones 89	Jones 117	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schoeller
Shumake	Silvey	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wright	Zerr		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 023

Brattin	Curtman	Diehl	Franklin	Franz
Hough	Houghton	Hughes	Hummel	Keeney
Kelly 24	Lauer	Loehner	McDonald	McNary
Richardson	Scharnhorst	Schneider	Smith 150	Webb
Wieland	Wyatt	Mr Speaker		

On motion of Representative Keeney, **House Amendment No. 10** was adopted.

Representative Hinson offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said section and line, the following:

“[650.325.] **190.411.** There is hereby established within the department of public safety the “[Advisory Committee for] 911 Service Oversight **Board**” which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The [committee for] 911 service oversight **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state.

[650.330.] **190.415.** 1. The [committee for] 911 service oversight **board** shall consist of [sixteen] **seven** members, one of [which] **whom** shall be [chosen from] **the director of** the department of public safety **or the director's designee**, who shall serve as chair of the [committee] **board** and only vote in the instance of a tie vote among the other members, and the other members shall be selected as follows:

- (1) [One member chosen to represent an association domiciled in this state whose primary interest relates to counties;
- (2) One member chosen to represent the Missouri public service commission;
- (3)] One member chosen to represent emergency medical services;
- [(4)] (2) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;
- [(5)] (3) One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;
- [(6)] (4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;
- [(7)] (5) One member chosen to represent an association whose primary interest relates to issues pertaining to [police chiefs] **law enforcement officials; and**
- [(8) One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;
- (9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;
- (10) One member chosen to represent 911 service providers in counties of the second, third and fourth classification;
- (11) One member chosen to represent 911 service providers in counties of the first classification, with and without charter forms of government, and cities not within a county;
- (12)] (6) One member chosen to represent telecommunications service providers with [at least one hundred thousand] access lines located within Missouri;
- (13) One member chosen to represent telecommunications service providers with less than one hundred thousand access lines located within Missouri;
- (14) One member chosen to represent a professional association of physicians who conduct with emergency care; and
- (15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers].

2. Each of the members of the [committee for] 911 service oversight **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years]. Members of the [committee] **board** may serve multiple terms.

3. The [committee for] 911 service oversight **board** shall meet at least quarterly at a place and time specified by the chairperson of the [committee] **board** and it shall keep and maintain records of such meetings, as well as the other activities of the [committee] **board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the [committee] **board**.

4. The [committee for] 911 service oversight **board** shall:

- (1) Organize and adopt standards governing the [committee's] **board's** formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on statewide technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such [committee] **board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

(5) Provide assistance to the governor and the general assembly regarding 911 services;

(6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;

(7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;

(8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state; and

(9) Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections [650.320 to 650.340] **190.400 to 190.445**.

5. The department of public safety shall provide staff assistance to the [committee for] 911 service oversight **board** as necessary in order for the [committee] **board** to perform its duties pursuant to sections [650.320 to 650.340] **190.400 to 190.445**.

6. The department of public safety is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within section [650.340] **190.445**. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[650.340.] **190.445**. 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

- (1) Police telecommunicator. 16 hours;
- (2) Fire telecommunicator. 16 hours;
- (3) Emergency medical services telecommunicator. 16 hours;
- (4) Joint communication center telecommunicator. 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the [committee] **board** that such person has completed training in another state which are at least as stringent as the training requirements of subsection 2 of this section.

6. The department of public safety shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for [an] a **dispatch** agency which meets the requirements set forth in section 190.134."; and

Further amend said bill, Page 3, Section 210.1014, Line 36, by inserting after all of said section and line, the following:

“302.291. 1. The director, having good cause to believe that an operator is incompetent or unqualified to retain his or her license, after giving ten days' notice in writing by certified mail directed to such person's present known address, may require the person to submit to an examination as prescribed by the director. Upon conclusion of the examination, the director may allow the person to retain his or her license, may suspend, deny or revoke the person's license, or may issue the person a license subject to restrictions as provided in section 302.301. If an examination indicates a condition that potentially impairs safe driving, the director, in addition to action with respect to the license, may require the person to submit to further periodic examinations. The refusal or neglect of the person to submit to an examination within thirty days after the date of such notice shall be grounds for suspension, denial or revocation of the person's license by the director, an associate circuit or circuit court. Notice of any suspension, denial, revocation or other restriction shall be provided by certified mail. As used in this section, the term "denial" means the act of not licensing a person who is currently suspended, revoked or otherwise not licensed to operate a motor vehicle. Denial may also include the act of withdrawing a previously issued license.

2. The examination provided for in subsection 1 of this section may include, but is not limited to, a written test and tests of driving skills, vision, highway sign recognition and, if appropriate, a physical and/or mental examination as provided in section 302.173.

3. The director shall have good cause to believe that an operator is incompetent or unqualified to retain such person's license on the basis of, but not limited to, a report by:

(1) Any certified peace officer;

(2) Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334; any chiropractic physician licensed pursuant to chapter 331; any registered nurse licensed pursuant to chapter 335; any psychologist, social worker or professional counselor licensed pursuant to chapter 337; any optometrist licensed pursuant to chapter 336; **any emergency medical technician licensed under chapter 190**; or

(3) Any member of the operator's family within three degrees of consanguinity, or the operator's spouse, who has reached the age of eighteen, except that no person may report the same family member pursuant to this section more than one time during a twelve-month period. The report must state that the person reasonably and in good faith believes the driver cannot safely operate a motor vehicle and must be based upon personal observation or physical evidence which shall be described in the report, or the report shall be based upon an investigation by a law enforcement officer. The report shall be a written declaration in the form prescribed by the department of revenue and shall contain the name, address, telephone number, and signature of the person making the report.

4. Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334, any chiropractor licensed pursuant to chapter 331, any registered nurse licensed pursuant to chapter 335, any psychologist, social worker or professional counselor licensed pursuant to chapter 337, or any optometrist licensed pursuant to chapter 336, **or any emergency medical technician licensed under chapter 190** may report to the department any patient diagnosed or assessed as having a disorder or condition that may prevent such person from safely operating a motor vehicle. Such report shall state the diagnosis or assessment and whether the condition is permanent or temporary. The existence of a physician-patient relationship shall not prevent the making of a report by such medical professionals.

5. Any person who makes a report in good faith pursuant to this section shall be immune from any civil liability that otherwise might result from making the report. Notwithstanding the provisions of chapter 610 to the contrary, all reports made and all medical records reviewed and maintained by the department of revenue pursuant to this section shall be kept confidential except upon order of a court of competent jurisdiction or in a review of the director's action pursuant to section 302.311.

6. The department of revenue shall keep records and statistics of reports made and actions taken against driver's licenses pursuant to this section.

7. The department of revenue shall, in consultation with the medical advisory board established by section 302.292, develop a standardized form and provide guidelines for the reporting of cases and for the examination of drivers pursuant to this section. The guidelines shall be published and adopted as required for rules and regulations pursuant to chapter 536. The department of revenue shall also adopt rules and regulations as necessary to carry out the other provisions of this section. The director of revenue shall provide health care professionals and law enforcement officers with information about the procedures authorized in this section. The guidelines and regulations implementing this section shall be in compliance with the federal Americans with Disabilities Act of 1990.

8. Any person who knowingly violates a confidentiality provision of this section or who knowingly permits or encourages the unauthorized use of a report or reporting person's name in violation of this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

9. Any person who intentionally files a false report pursuant to this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

10. All appeals of license revocations, suspensions, denials and restrictions shall be made as required pursuant to section 302.311 within thirty days after the receipt of the notice of revocation, suspension, denial or restriction.

11. Any individual whose condition is temporary in nature as reported pursuant to the provisions of subsection 4 of this section shall have the right to petition the director of the department of revenue for total or partial reinstatement of his or her license. Such request shall be made on a form prescribed by the department of revenue and accompanied by a statement from a health care provider with the same or similar license as the health care provider who made the initial report resulting in the limitation or loss of the driver's license. Such petition shall be decided by the director of the department of revenue within thirty days of receipt of the petition. Such decision by the director is appealable pursuant to subsection 10 of this section.”; and

Further amend said bill, Page 3, Section 302.790, Line 14, by inserting after all of said section, the following:

“302.800. 1. For purposes of this section, the following terms mean:

- (1) "Department", the department of revenue;**
- (2) "Director", the director of the department of revenue;**
- (3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;**
- (4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.**

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

- (1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;**
- (2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;**
- (3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and**
- (4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.**

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the

authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill, Page 6, Section 306.130, Line 20, by inserting after all of said section, the following:

“320.106. As used in sections 320.106 to 320.161, unless clearly indicated otherwise, the following terms mean:

(1) "American Pyrotechnics Association (APA), Standard 87-1", or subsequent standard which may amend or supersede this standard for manufacturers, importers and distributors of fireworks;

(2) "Chemical composition", all pyrotechnic and explosive composition contained in fireworks devices as defined in American Pyrotechnics Association (APA), Standard 87-1;

(3) "Consumer fireworks", explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UN0336, [1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172;**

(4) "Discharge site", the area immediately surrounding the fireworks mortars used for an outdoor fireworks display;

(5) "Dispenser", a device designed for the measurement and delivery of liquids as fuel;

(6) "Display fireworks", explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, **UN0333 or UN0334 or UN0335**, [1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172;**

(7) "Display site", the immediate area where a fireworks display is conducted, including the discharge site, the fallout area, and the required separation distance from mortars to spectator viewing areas, but not spectator viewing areas or vehicle parking areas;

(8) "Distributor", any person engaged in the business of selling fireworks to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies that possess the necessary permits as specified in sections 320.106 to 320.161, including any person that imports any fireworks of any kind in any manner into the state of Missouri;

(9) "Fireworks", any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations[, and American Pyrotechnics Association 87-1 standards];

(10) "Fireworks season", the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

(11) "Jobber", any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri to nonlicensed buyers for use and distribution outside the state of Missouri during a calendar year from the first day of January through the thirty-first day of December;

(12) "Licensed operator", any person who supervises, manages, or directs the discharge of outdoor display fireworks, either by manual or electrical means; who has met additional requirements established by promulgated rule and has successfully completed a display fireworks training course recognized and approved by the state fire marshal;

(13) "Manufacturer", any person engaged in the making, manufacture, assembly or construction of fireworks of any kind within the state of Missouri;

(14) "NFPA", National Fire Protection Association, an international codes and standards organization;

(15) "Permanent structure", buildings and structures with permanent foundations other than tents, mobile homes, and trailers;

(16) "Permit", the written authority of the state fire marshal issued pursuant to sections 320.106 to 320.161 to sell, possess, manufacture, discharge, or distribute fireworks;

(17) "Person", any corporation, association, partnership or individual or group thereof;

(18) "Proximate fireworks", a chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation, as [defined by the most current edition of the American Pyrotechnics Association (APA), Standard 87-1, section 3.8, specific requirements for theatrical pyrotechnics] **classified within 49 CFR Part 172 as UN0431 or UN0432;**

(19) "Pyrotechnic operator" or "special effects operator", an individual who has responsibility for pyrotechnic safety and who controls, initiates, or otherwise creates special effects for proximate fireworks and who has met additional requirements established by promulgated rules and has successfully completed a proximate fireworks training course recognized and approved by the state fire marshal;

(20) "Sale", an exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals;

(21) "Seasonal retailer", any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined by subdivision (10) of this section;

(22) "Wholesaler", any person engaged in the business of making sales of consumer fireworks to any other person engaged in the business of making sales of consumer fireworks at retail within the state of Missouri.

320.131. 1. It is unlawful for any person to possess, sell or use within the state of Missouri, or ship into the state of Missouri, except as provided in section 320.126, any pyrotechnics commonly known as "fireworks" and defined as consumer fireworks in subdivision (3) of section 320.106 other than items now or hereafter classified as fireworks UNO336, 1.4G by the United States Department of Transportation that comply with the construction, chemical composition, labeling and other regulations relative to consumer fireworks regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public pursuant to such commission's regulations.

2. No wholesaler, jobber, or seasonal retailer, or any other person shall sell, offer for sale, store, display, or have in their possession any consumer fireworks that have not been approved as fireworks UNO336, 1.4G by the United States Department of Transportation.

3. No jobber, wholesaler, manufacturer, or distributor shall sell to seasonal retailer dealers, or any other person, in this state for the purpose of resale, or use, in this state, any consumer fireworks which do not have the numbers and letter "1.4G" printed within an orange, diamond-shaped label printed on or attached to the fireworks shipping carton.

4. This section does not prohibit a manufacturer, distributor or any other person **possessing the proper permits as specified by state and federal law** from storing, selling, shipping or otherwise transporting display or proximate fireworks[, defined as fireworks UNO335, 1.3G/UNO431, 1.4G or UNO432, 1.4S by the United States Department of Transportation, provided they possess the proper permits as specified by state and federal law].

5. Matches, toy pistols, toy canes, toy guns, party poppers, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound, provided that they are so constructed that the hand cannot come into contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty-five hundredths grains of explosive mixture shall be permitted for sale and use at all times and shall not be regulated by the provisions of sections 320.106 to 320.161.

320.136. Ground salutes commonly known as "cherry bombs", "M-80's", "M-100's", "M-1000's", and any other tubular salutes or any items described as prohibited chemical components or forbidden devices as listed in the American Pyrotechnics Association Standard 87-1 or which exceed the [federal] limits set for **consumer fireworks** [UNO336, 1.4G formerly known as class C common fireworks, display fireworks UNO335, 1.3F, and proximate fireworks UNO431, 1.4F/UNO432, 1.4S by the United States Department of Transportation], **display fireworks, or proximate fireworks** for explosive composition are expressly prohibited from shipment into, manufacture, possession, sale, or use within the state of Missouri for consumer use. Possession, sale, manufacture, or transport of this type of illegal explosive shall be punished as provided by the provisions of section 571.020.

320.202. 1. There is hereby established within the department of public safety a "Division of Fire Safety", which shall have as its chief executive officer the fire marshal appointed under section 320.205. The fire marshal and the division shall be responsible for:

- (1) The voluntary training of firefighters, investigators, inspectors, and public or private employees or volunteers in the field of emergency response, rescue, fire prevention or preparedness;
- (2) Establishing and maintaining a statewide reporting system, which shall, as a minimum, include the records required by section 320.235 and a record of all fires occurring in Missouri showing:
 - (a) The name of all owners of personal and real property affected by the fire;
 - (b) The name of each occupant of each building in which a fire occurred;
 - (c) The total amount of insurance carried by, the total amount of insurance collected by, and the total amount of loss to each owner of property affected by the fire; and
 - (d) All the facts, statistics and circumstances, including, but not limited to, the origin of the fire, which are or may be determined by any investigation conducted by the division or any local firefighting agency under the laws of this state. All records maintained under this subdivision shall be open to public inspections during all normal business hours of the division;
- (3) Conducting all investigations of fires mandated by sections 320.200 to 320.270;
- (4) Conducting all fire inspections required of any private premises in order for any license relating to such private premises to be issued under any licensing law of this state, except those organizations and institutions licensed pursuant to chapter 197;
- (5) Establishing and maintaining a voluntary training and certification program based upon nationally recognized standards. A certification testing fee and recertification fee shall be established by promulgated rules and regulations by the state fire marshal under the provisions of section 536.024. Fees collected shall be deposited into the [general revenue] **fire education fund established in section 320.094.**

2. The state fire marshal shall exercise and perform all powers and duties necessary to carry out the responsibilities imposed by subsection 1 of this section, including, but not limited to, the power to contract with any person, firm, corporation, state agency, or political subdivision for services necessary to accomplish any of the responsibilities imposed by subsection 1 of this section.

3. The state fire marshal shall have the authority to promulgate rules and regulations under the provisions of section 536.024 to carry out the provisions of this section.

321.015. 1. No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to:

- (1) Members of the organized militia, of the reserve corps, public school employees and notaries public; [, or to]
- (2) Fire protection districts located wholly within counties of the second, third or fourth [class or] classification;
- (3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;
- (4) Fire protection districts located within [first class] counties **of the first classification** not adjoining any other [first class] county **of the first classification**; [, nor shall this section apply to]
- (5) Fire protection districts located within any county of the first or second [class] classification not having more than nine hundred thousand inhabitants which borders any three [first class] counties **of the first classification**; [nor shall this section apply to]
- (6) Fire protection districts located within any [first class] county **of the first classification** [without a charter form of government] which adjoins both a [first class] charter county [with a charter form of government] with at least nine hundred thousand inhabitants, and adjoins at least four other counties;
- (7) **Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.**

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.

321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least one year before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

5. Any director who has been found guilty of or pled guilty to any felony offense shall immediately forfeit his or her office.

6. No person shall be qualified to serve as a director, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid or past due county taxes.

321.162. 1. **In addition to the qualifications prescribed by law**, all members of the board of directors of a fire protection district first elected **or appointed** on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of a fire protection district director;
- (2) A review of all state statutes and regulations relevant to fire protection districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session.

321.228. 1. As used in this section, the following terms shall mean:

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.

321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part**, as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the Fire Protection Districts and the Fire Protection District be consolidated into one fire protection district to be known as the Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund cents per one hundred dollars assessed valuation; ambulance service cents per one hundred dollars assessed valuation; pension fund cents per one hundred dollars assessed valuation; and dispatching fund cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners.

321.711. 1. A recall petition shall be filed with the election authority not more than one hundred eighty days after the filing of the notice of intention.

2. The number of qualified signatures required in order to recall an officer shall be equal in number to at least [twenty-five] **twenty** percent of the number of voters who voted in the most recent gubernatorial election in that district.

3. Within twenty days from the filing of the recall petition the election authority shall determine whether or not the petition was signed by the required number of qualified signatures. The election authority shall file with the petition a certificate showing the results of the examination. The authority shall give the proponents a copy of the certificate upon their request.

4. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certificate by filing additional petition sections containing all of the information required by section 321.709 and this section. Within ten days after the supplemental copies are filed, the election authority shall file with it a certificate stating whether or not the petition as supplemented is sufficient.

5. If the certificate shows that the petition as supplemented is insufficient, no action shall be taken on it; however, the petition shall remain on file.”; and

Further amend said bill, Page 22, Section 575.080, Line 18, by inserting after all of said section and line, the following:

“577.029. A licensed physician, registered nurse, or trained **in hospital** medical technician, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her.”; and

Further amend said bill, Page 30, Section 650.120, Line 81, by inserting after all of said section, the following:

“Section 1. 1. For purposes of this act, the term "anemometer" means an instrument for measuring and recording the speed of the wind, and the term "anemometer tower" means a structure, including all guy wires and accessory facilities, on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator.

2. Any anemometer tower that is fifty feet in height above the ground or higher, that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before the effective date of this act shall be marked as required in this section within one year after the effective date of this act. Any anemometer tower that is erected on or after the effective date of this act shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced. For purposes of this section, the term, area surrounding the anchor point, means an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point. A violation of this section is a class C misdemeanor.

[190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

(1) "911", the primary emergency telephone number within the wireless system;

(2) "Board", the wireless service provider enhanced 911 advisory board;

(3) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

- (4) "Public safety answering point", the location at which 911 calls are initially answered;
- (5) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).]

[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

- (1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;
- (2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;
- (3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and
- (4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

- (1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;
- (2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;
- (3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and
- (4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.]

[190.420. 1. There is hereby established in the state treasury a fund to be known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees collected pursuant to sections 190.400 to 190.440 by wireless service providers shall be remitted to the director of the department of revenue. The director shall remit such payments to the state treasurer.

2. The state treasurer shall deposit such payments into the wireless service provider enhanced 911 service fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the wireless service provider enhanced 911 system.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.]

[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440

shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.]

[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the

voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.]

[650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Committee", the advisory committee for 911 service oversight established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are initially answered;

(3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.]; and

Further amend said bill, Page 31, Section B, Line 4, by inserting after all of said section, the following:

"Section C. Because immediate action is necessary to ensure compliance with federal regulations prior to the sale of fireworks for the Independence Day holiday, sections 320.106, 320.131, and 320.136 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 320.106, 320.131, and 320.136 of section A this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 11** was adopted.

Representative Pace offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 16, Section 527.290, Line 14, by inserting after all of said line the following:

"565.066. 1. A person commits the crime of assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

3. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

4. Assault of a utility worker or an employee of a mass transit system in the first degree is a class B felony.

565.067. 1. A person commits the crime of assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties;

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties;

(5) Acts with criminal negligence to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a utility worker or an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

3. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

4. Assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the second degree is a class C felony unless committed under subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class B felony.

565.068. 1. A person commits the crime of assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the third degree if:

(1) Such person recklessly causes physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties;

(2) Such person purposely places a utility worker or an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a utility worker or an employee of a mass transit system while in the scope of his or her duties without the consent of the utility worker or employee of the mass transit system.

2. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

3. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

4. Assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the third degree is a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pace, **House Amendment No. 12** was adopted.

Representative Higdon offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said section and line the following:

“57.104. 1. The sheriff of any county [of the first classification not having a charter form of government] may employ an attorney at law to aid and advise him **or her** in the discharge of his **or her** duties and to represent him **or her** in court. The sheriff shall set the compensation for an attorney hired pursuant to this section within the allocation made by the county commission to the sheriff's department for compensation of employees to be paid out of the general revenue fund of the county.

2. The attorney employed by a sheriff pursuant to subsection 1 of this section shall be employed at the pleasure of the sheriff.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

Representative Pollock offered **House Amendment No. 1 to House Amendment No. 13.**

House Amendment No. 1

to

House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 1, Line 20, by inserting after all of said line, the following:

‘Further amend said bill, Page 30, Section 650.120, Line 81, by inserting after all of said section and line the following:

“**Section 1. 1. The department of transportation shall designate 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1 to House Amendment No. 13** was adopted.

On motion of Representative Higdon, **House Amendment No. 13, as amended**, was adopted.

Representative Gatschenberger offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Section 210.1014, Line 36, by after all of said section and line inserting the following:

“227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.

301.3163. Any person may apply for [special] **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the [special] **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the [advisory committee established in section 301.129] **director**, with the words "DON'T TREAD ON ME" [in place of the words "SHOW-ME STATE"] **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 14** was adopted.

Representative Cookson offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 6, Section 407.293, Lines 3-5, by deleting all of said lines and inserting in lieu thereof, the following:

“magnesium.”; and

Further amend said bill, page, and section, Line 8, by inserting after the phrase **“part of the vehicle”**, a semicolon **“;”**; and

Further amend said bill, page, and section, Line 9, by inserting after the phrase **“section 367.011”** the following:

“; nor does it include retail jewelers”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cookson, **House Amendment No. 15** was adopted.

Representative Flanigan offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 1, Section A, Line 8, by inserting after said line the following:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420.**

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. [He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against

any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who

have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information

received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department.”; and

Further amend said bill, Page 2, Section 43.265, Line 19, by inserting after all of said section, the following:

“105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such

garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees

that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.] **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.] **8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

- (1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;
- (2) A decision of a court of competent jurisdiction or the administrative hearing commission; or
- (3) Changes in regulations or policy by the department of revenue.

[7.] **9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.] **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied.”; and

Further amend said bill, Page 31, Section B, Line 4, by inserting after all of said section, the following:

“Section C. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 16** was adopted.

On motion of Representative Cookson, **HCS SS SCS SB 755, as amended**, was adopted.

On motion of Representative Cookson, **HCS SS SCS SB 755, as amended**, was read the third time and passed by the following vote:

AYES: 100

Allen	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Diehl	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Kratky	Lair	Lampe	Lant
Largent	Leara	Lichtenegger	Loehner	Long
McCaherty	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Nance	Nasheed	Neth
Pace	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 150
Spreng	Still	Stream	Swearingen	Swinger
Wallingford	Wells	Weter	Wright	Zerr

NOES: 045

Anders	Asbury	Brown 85	Burlison	Carter
Colona	Conway 14	Curtman	Day	Dugger
Ellinger	Ellington	Fuhr	Guernsey	Harris
Holsman	Jones 63	Klippenstein	Korman	Lasater
Leach	Marshall	May	McCann Beatty	McCreery
Montecillo	Morgan	Newman	Nichols	Oxford
Parkinson	Pierson	Rizzo	Rowland	Smith 71
Solon	Sommer	Talboy	Taylor	Thomson
Torpey	Walton Gray	Webb	White	Wyatt

PRESENT: 001

Sifton

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ABSENT WITH LEAVE: 017

Brattin	Dieckhaus	Franklin	Funderburk	Hough
Houghton	Hughes	Hummel	Lauer	McDonald
McNary	Nolte	Schatz	Schneider	Webber
Wieland	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 113

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brown 50
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Diehl	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Morgan
Nance	Nasheed	Neth	Nichols	Oxford
Pace	Phillips	Pollock	Quinn	Redmon
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swinger
Taylor	Wallingford	Wells	Weter	White
Wright	Zerr	Mr Speaker		

NOES: 031

Asbury	Berry	Burlison	Carter	Colona
Conway 14	Curtman	Dugger	Ellington	Guernsey
Holsman	Jones 63	Lasater	Marshall	May
McCreery	Montecillo	Newman	Parkinson	Pierson
Riddle	Rizzo	Schieber	Smith 71	Sommer
Swearingen	Talboy	Thomson	Torpey	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Cierpiot	Dieckhaus	Franklin	Franz
Funderburk	Hough	Houghton	Hughes	Hummel
Lauer	McDonald	McNary	Nolte	Reiboldt
Schatz	Webber	Wieland	Wyatt	

BILLS CARRYING REQUEST MESSAGES

HCS#2 SCS SB 729, as amended, relating to political subdivisions, was taken up by Representative Kelly (24).

Representative Kelly (24) moved that the House refuse to recede from its position on **HCS#2 SCS SB 729, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 510, as amended, relating to political subdivisions, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SCS SB 510, as amended**, and grant the Senate a conference.

Which motion was adopted.

SB 564, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 4, House Amendment No. 6 and House Amendment No. 8, relating to motorcycle rider training, was taken up by Representative Davis.

Representative Davis moved that the House grant the Senate a further conference on **SB 564, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 4, House Amendment No. 6 and House Amendment No. 8**.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS#2 SCS HB 1170: Representatives Franz, Zerr, Richardson, Talboy and Rizzo

BILL CARRYING REQUEST MESSAGE

HCS SB 636, as amended, relating to judicial procedures, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to grant the Senate a further conference and request the Senate to take up and pass the Conference Committee Report on **HCS SB 636, as amended**.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SCS SB 722, relating to the Iran Energy Divestment Act, was taken up by Representative Jones (89).

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 2, Section 34.225, Line 22, by inserting after the phrase “**person that**” on said line, the word “**directly**”; and

Further amend said bill, page and section, Line 23, by inserting after the word “**person**” on said line, the word “**directly**”; and

Further amend said bill, page, and section, Line 25, by deleting the phrase “**has an investment of**” on said line and inserting in lieu thereof the phrase “**directly invests**”; and

Further amend said bill, page, and section, Lines 30-32, by deleting all of said lines and inserting in lieu thereof the following:

“(c) The person is a financial institution that directly provides a commercial loan of twenty million dollars or more to another person, for forty-five days or more, if such financial institution had actual knowledge that such person would use the proceeds from the commercial loan to invest in the energy sector in Iran;”; and

Further amend said bill, page, and section, Lines 41-42, by deleting the phrase “**or within the previous three years has had**” on said lines and inserting in lieu thereof the word “**has**”; and

Further amend said bill, page, and section, Line 43, by inserting after the period “.” on said line, the following:

“A person may rely on one or more lists of persons engaging in investment activities in the energy sector in Iran developed by other states acting under the authority of the Federal Comprehensive Iran Sanctions Accountability and Divestment Act of 2010 when certifying that it is not a proscribed investor.”; and

Further amend said bill, page, and section, Lines 46-47, by deleting the phrase “**, upon such report or any complaint from any individual, shall**” on said lines and inserting in lieu thereof the phrase “**has the sole authority to**”; and

Further amend said bill, page, and section, Line 49, by inserting after the period “.” on said line, the following:

“No private right of action is created by this section.”; and

Further amend said bill, Page 3, Section 34.225, Line 67, by inserting after the phrase “**ceases its**” on said line, the word “**direct**”; and

Further amend said bill, page, and section, Line 69, by inserting after the word “**demonstrate**” on said line, the phrase “**in writing**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Johnson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 3, Section 34.225, Line 73, by inserting after all of said section and line the following:

“262.975. 1. The department of economic development shall build and maintain, by contract or otherwise, a Missouri solar panel manufacturing website with search engine optimization technology. Such website shall contain content licensed by the department to promote the benefits of locating a solar panel manufacturing facility in Missouri.

2. The website shall be designed to attract domestic or international solar panel manufacturers to Missouri. The department must provide links to the new website from at least three other department of economic development websites, and must include content explaining the benefits of manufacturing solar panels in Missouri.

3. The state of Missouri retains ownership of all content on the website. The website developer is authorized to:

(1) Use all informational content provided by the department of economic development, and apply search engine optimization to the website content to achieve a high search engine ranking; and

(2) Sell advertising on the website to any entity that will benefit from marketing to domestic or international solar panel manufacturers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the website, with the website developer retaining all advertising revenues obtained from such website to provide the financing for such website.

4. If contacted, the website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department;

(2) Demonstrate prior experience with website development projects which increased search engine rankings for the client.

5. If contacted, the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the solar panel manufacturer website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department may have a contract terminated for failure to operate under the department's guidelines for the website. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of economic development may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 2, Line 13, by inserting after all of said line the following:

‘Further amend said bill, Section 67.2010, Page 13, Line 8, by inserting after all of said section and line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. 1. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed.

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;
and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to

annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.”; and’; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Johnson, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Jones (89), **HCS SCS SB 722, as amended**, was adopted.

On motion of Representative Jones (89), **HCS SCS SB 722, as amended**, was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger

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Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	Wright
Zerr				

NOES: 005

Brattin	Curtman	Koenig	Nasheed	White
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PRESENT: 002

Smith 71	Walton Gray
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ABSENT WITH LEAVE: 020

Conway 27	Day	Dieckhaus	Franklin	Franz
Funderburk	Hough	Houghton	Hughes	Hummel
Kratky	Lauer	McDonald	McNary	Meadows
Molendorp	Nolte	Wieland	Wyatt	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SB 758, relating to children, was taken up by Representative Black.

Representative Black offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 453.350, Line 15, by inserting after all of said section and line the following:

“544.456. 1. This section shall be known and may be cited as "Sam Pratt's Law".

2. In any case involving abuse, neglect, or death of a child, any court with competent jurisdiction may impose as a condition of release of a defendant under section 544.455 that such defendant be prohibited from providing child care services for compensation pending final disposition of the case. The court shall notify the department of health and senior services and the department of social services when it makes such a determination, as well as the final disposition of the case.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 211.444, Line 24, by inserting after all of said section and line the following:

“453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

- (1) The person seeking to adopt resides;**
- (2) The child sought to be adopted was born;**
- (3) The child [is located at the time of] has resided for at least ninety days prior to the filing of the adoption petition; or**

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Fraker offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 6, Section 135.327, Line 131, by deleting the numeral “**2016**,” and inserting in lieu thereof the following:

“**2013**,”; and

Further amend said bill, page and section, Line 141, by inserting after all of said line the following:

“135.630. 1. As used in this section, the following terms mean:

- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
- (2) "Director", the director of the department of social services;
- (3) "Pregnancy resource center", a nonresidential facility located in this state:
 - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
 - (b) Where childbirths are not performed; and
 - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
 - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
 - (e) Which provides its services at no cost to its clients; and
 - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
 - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
- (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and

in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. [Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10.] Pursuant to section 23.253 of the Missouri sunset act:

(1) [Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,] The program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **expire on December 31, 2013, unless reauthorized by the general assembly;** and

[(3)] (2) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset; **and**

(3) **The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraker, **House Amendment No. 3** was adopted.

Representative McManus offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 17, Section 210.950, Lines 53 and 54, by deleting "[one year][**forty-five days**" and inserting in lieu thereof the following:

"one year"; and

Further amend said bill and section, Page 18, Line 104, by deleting "**forty-five days**" and inserting in lieu thereof the following:

"**one year**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McManus, **House Amendment No. 4** was adopted.

Representative Sommer offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 9, Section 160.1990, Line 87, by inserting after all of said section and line the following:

"208.031. 1. Electronic benefit transfer transactions made by each applicant or recipient who is otherwise eligible for temporary assistance for needy families benefits under this chapter and who is found to have made a cash withdrawal at any casino, gambling casino, or gaming establishment shall, after an administrative hearing conducted by the department under the provisions of chapter 536, be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision. For purposes of this section, "casino, gambling casino, or gaming establishment" does not include a grocery store which sells groceries including such staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities.

2. Other members of a household which includes a person who has been declared ineligible for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive temporary assistance for needy families benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household.

3. Any person who, in good faith, reports a suspected violation of this section by a TANF recipient shall not be held civilly or criminally liable for reporting such suspected violation.

4. The department of social services shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to

disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

208.032. 1. In accordance with the Social Security Act, 42 U.S.C. Section 608(a)(12), the department of social services shall implement and maintain policies and practices which prevent a temporary assistance for needy families electronic benefit transfer transaction in:

- (1) Any liquor store;
- (2) Any casino, gambling casino, or gambling establishment; or
- (3) Any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

2. As used in this section, the term:

- (1) "Casino, gambling casino, or gaming establishment" shall not include:
 - (a) A grocery store which sells groceries including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities;
 - (b) "Electronic benefit transfer transaction" means the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service;

(c) "Liquor store" means any retail establishment which sells exclusively or primarily intoxicating liquor. Liquor store does not include a grocery store which sells both intoxicating liquor and groceries including staple foods within the meaning of Section 3(r) of the Food and Nutrition Act of 2008, 7 U.S.C. Section 2012(r).

3. In accordance with 42 U.S.C. Section 602(a)(1)(A), the department of social services shall:

(1) Implement policies and procedures as necessary to prevent access to assistance provided under Missouri's temporary assistance for needy families (TANF) program through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in subsections 1 and 2 of this section, including a plan to ensure that recipients of the assistance have adequate access to their cash assistance; and

(2) Ensure that recipients of assistance provided under Missouri's TANF program have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and charges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.

4. On or before December 31, 2013, the department shall submit a report to the governor and the general assembly detailing the policies and practices implemented in accordance with the requirements of this section and the requirements of 42 U.S.C. Section 608(a)(12). In addition, the department shall report Missouri's implementation of the policies and practices to the Secretary of Health and Human Services as required under 42 U.S.C. Section 609(a)(16) within two years of the enactment of such federal law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sommer, **House Amendment No. 5** was adopted.

Representative Elmer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 9, Section 160.1990, Line 87, by inserting after all of said section and line the following:

"162.700. 1. The board of education of each school district in this state, except school districts which are part of a special school district, and the board of education of each special school district shall provide special educational services for children with disabilities three years of age or more residing in the district as required by P.L. 99-457, as codified and as may be amended. Any child, determined to be a child with disabilities, shall be eligible for such services upon reaching his or her third birthday and state school funds shall be apportioned accordingly. This subsection shall apply to each full school year beginning on or after July 1, 1991. In the event that federal funding fails to be appropriated at the authorized level as described in 20 U.S.C. 1419(b)(2), the implementation of this subsection relating to services for children with disabilities three and four years of age may be delayed until such time as funds are

appropriated to meet such level. Each local school district and each special school district shall be responsible to engage in a planning process to design the service delivery system necessary to provide special education and related services for children three and four years of age with disabilities. The planning process shall include public, private, and private not-for-profit agencies which have provided such services for this population. The school district, or school districts, or special school district, shall be responsible for designing an efficient service delivery system which uses the present resources of the local community which may be funded by the department of elementary and secondary education or the department of mental health. School districts may coordinate with public, private, and private not-for-profit agencies presently in existence. The service delivery system shall be consistent with the requirements of the department of elementary and secondary education to provide appropriate special education services in the least restrictive environment.

2. Every local school district or, if a special district is in operation, every special school district shall obtain current appropriate diagnostic reports for each with disabilities child prior to assignment in a special program. These records may be obtained with parental permission from previous medical or psychological evaluation, may be provided by competent personnel of such district or special district, or may be secured by such district from competent and qualified medical, psychological, or other professional personnel.

3. Evaluations of private school students suspected of having a disability under the Individuals With Disabilities Education Act will be conducted as appropriate by the school district in which the private school is located or its contractor.

4. Where special districts have been formed to serve children with disabilities under the provisions of sections 162.670 to 162.995, such children shall be educated in programs of the special district, except that component districts may provide education programs for children with disabilities ages three and four inclusive in accordance with regulations and standards adopted by the state board of education.

5. For the purposes of this act, remedial reading programs are not a special education service as defined by subdivision (4) of section 162.675.

6. Any and all state costs required to fund special education services for three- and four-year-old children under this section shall be provided for by a specific, separate appropriation and shall not be funded by a reallocation of money appropriated for the public school foundation program.

7. School districts providing early childhood special education shall give consideration to the value of continuing services with Part C early intervention system providers for the remainder of the school year when developing an individualized education program for a student who has received services under Part C of the Individuals with Disabilities Education Act and reaches the age of three years during a regular school year. Services provided shall be only those permissible according to Section 619 of the Individuals with Disabilities Education Act.

8. **The parent or guardian of a child who is eligible for special educational services may select one or more specialized instructional services that are consistent with the child's individualized education program, which may include, but not be limited to, listening and spoken language specialists and an appropriate acoustical environment for a child who is deaf or hard of hearing who has received an implant or assistive hearing device.**

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and

Further amend said bill, Page 22, Section 453.350, Line 15, by inserting after all of said line the following:

"Section 1. 1. As used in this section, the following terms shall mean:

(1) "Auditory-oral education program", a program that develops and relies solely on listening skills and uses an implant or assistive hearing device for the purpose of relying on speech and spoken language skills as the method of communication;

(2) "Deaf or hard of hearing", aided or unaided hearing loss that affects the processing of linguistic information and adversely affects performance in the educational environment. The degree of loss may range from mild to profound in accordance with criteria established by rule of the state board of education;

(3) "School", a public or nonpublic school located in this state which can teach children who have obtained an implant or assistive hearing device, using faculty certified as listening and spoken language specialists, provided that such school shall not violate the provisions of Article I, section 7 or Article IX, section 8 of the Missouri constitution.

2. The parent or guardian of a child who is deaf or hard of hearing and who meets the requirements of this section may enroll the child in the auditory-oral education program of a school other than his or her school district of residence. Such child may continue attending the school and complete the development of listening and spoken language skills at the school. To enroll and attend, the child shall:

- (1) Have received an implant or assistive hearing device;
- (2) Be between the ages of three and seven years or between the ages of two and seven years when the school district elects to service children with disabilities who are under the age of three years; and
- (3) Be a resident of this state.

3. The level of services shall be determined by the pupil's individual education program team, or individualized family service plan team, which shall include the child's parent or guardian, in accordance with the state board of education's rules. A child shall be eligible for services under this section until the end of the school year in which he or she reaches the age of seven years, or after the second grade, whichever comes first.

4. Payment for services shall be as provided in section 162.705."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 6** was adopted.

Representative Johnson offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 453.350, Line 15, by inserting after all of said section, the following:

"620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

- (1) Pay wages that meet or exceed the county average wage;
 - (2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition;
- and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount

that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schieber offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1

to

House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 2, Line 16, by inserting after all of said line the following:

‘Further amend said bill, Page 2, Section 21.771, Line 48, by inserting after all of said section and line the following:

“135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, **if said political subdivision or municipality levies ad valorem taxes**, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section

99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone."; and

Further amend said bill, Page 6, Section 135.327, Line 141, by inserting after all of said section, the following:

"135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, **if said political subdivision or municipality levies ad valorem taxes**, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieber, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Johnson, **House Amendment No. 7, as amended**, was adopted.

Representative May offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 453.350, Line 15, by inserting after all of said section and line the following:

“568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **"Arrearage":**

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)] (4) "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of [twelve] **eighteen** monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. (1) If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) **After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.**

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the [child support enforcement service of the] family support division [of] **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

- (1) In any county in which the child resided during the period of time for which the defendant is charged; or
- (2) In any county in which the defendant resided during the period of time for which the defendant is charged.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative May, **House Amendment No. 8** was adopted.

On motion of Representative Black, **HCS SCS SB 758, as amended**, was adopted.

On motion of Representative Black, **HCS SCS SB 758, as amended**, was read the third time and passed by the following vote:

AYES: 134

Allen	Anders	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lichtenegger	Long	May
McCaherty	McCann Beatty	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Weter	White	Wright	Zerr	

NOES: 005

Asbury	Atkins	Leach	Marshall	McCreery
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PRESENT: 000

ABSENT WITH LEAVE: 024

Davis	Day	Dieckhaus	Fitzwater	Franklin
Funderburk	Hough	Houghton	Hughes	Hummel
Lauer	Leara	Loehner	McDonald	McGhee
McNary	Parkinson	Schad	Schatz	Webber
Wells	Wieland	Wyatt	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, relating to designations and license plates, was taken up by Representative Sater.

Representative Denison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 767, 653, 754, 705, 441, 528, 831, 833 & 847, Page 7, Section 301.3084, Line 5, by deleting the words, “**department of health and senior services**” and inserting in lieu thereof the words, “**Winning Women**”; and

Further amend said page and section, Line 6, by deleting the words, “**department of health and senior services**” and inserting in lieu thereof the words, “**Winning Women**”; and

Further amend said page and section, Lines 9 and 10, by deleting the words, “**department of health and senior services**” and inserting in lieu thereof the words, “**Winning Women**”; and

Further amend said section, Page 8, Line 22, by deleting the words, ““MISSOURI WOMEN’S COUNCIL”” and inserting in lieu thereof the words, “[“MISSOURI WOMEN’S COUNCIL”] “**WINNING WOMEN**””; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad assumed the Chair.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Johnson	Jones 89	Jones 117
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schieber	Schneider	Schoeller	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Jones 63	Kander	Kelly 24

Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 023

Cierpiot	Dieckhaus	Diehl	Dugger	Franklin
Franz	Fuhr	Funderburk	Hough	Houghton
Hughes	Hummel	Keeney	Lauer	McDonald
McNary	Pollock	Scharnhorst	Schatz	Shumake
Swearingen	Wells	Wieland		

Representative Denison moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 035

Allen	Barnes	Bernskoetter	Brandom	Brown 116
Burlison	Conway 14	Cox	Crawford	Cross
Denison	Diehl	Elmer	Entlicher	Flanigan
Fraker	Grisamore	Guernsey	Haefner	Leach
Leara	Lichtenegger	Parkinson	Pollock	Richardson
Sater	Schad	Schneider	Schoeller	Smith 150
Sommer	Wells	Wright	Zerr	Mr Speaker

NOES: 111

Anders	Asbury	Atkins	Aull	Bahr
Berry	Black	Brattin	Brown 50	Brown 85
Carlson	Carter	Casey	Cauthorn	Colona
Conway 27	Cookson	Curtman	Davis	Day
Ellinger	Ellington	Fallert	Fisher	Fitzwater
Frederick	Fuhr	Gatschenberger	Gosen	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Schieber	Schieffer	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Spreng	Still	Stream	Swearingen	Swinger

Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 017

Cierpiot	Dieckhaus	Dugger	Franklin	Franz
Funderburk	Hough	Houghton	Hughes	Hummel
Keeney	Lauer	McDonald	McNary	Scharnhorst
Schatz	Wieland			

Representative Sater offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 767, 653, 754, 705, 441, 528, 831, 833 & 847, Page 6, Section 301.473, Lines 45 through 50, by deleting all of said lines and inserting in lieu thereof the following:

“5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a person chooses to replace the specialty personalized plate for the new design, the person must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plates fees in accordance with this chapter shall be required.”; and

Further amend said bill, Pages 8 through 11, Sections 301.3161 and 301.3165, by deleting all of said sections and inserting in lieu thereof the following:

“301.3161. 1. Notwithstanding any other provision of law to the contrary, any person may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual contribution of twenty-five dollars to the Cass County collector of revenue. Any contribution derived from this section, except reasonable administrative costs, shall be distributed within the county as follows:

- (1) [Eighty] **Seventy** percent to public safety; [and]
- (2) **Fifteen percent to the Cass County Historical Society; and**
- (3) [Twenty] **Fifteen** percent to the Cass County parks and recreation department.

2. Upon annual application and payment of twenty-five dollars **to the Cass County collector of revenue,** the county shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the [department] **director** of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a [personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" in the place of the words "SHOW-ME STATE"] **speciality personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" at the bottom of the plate in a manner prescribed by the director of revenue. Such license plates shall be yellow beginning at the top with the color fading into orange at the bottom and shall have a black decorative scroll on the left and right side of the plate configuration. The scrolls shall not be more than one inch in width or three and a half inches in height.** Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for personalization of license plates under this section.

3. [The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter

536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void] **A vehicle owner who was previously issued a plate with the emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Cass County Burnt District emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.**

4. Prior to the issuance of a specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.

301.3165. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Martin Luther King Jr. state celebration commission, may receive specialty personalized license plates for any vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Martin Luther King Jr. state celebration commission hereby authorizes the use of its official emblem to be affixed on specialty personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Martin Luther King Jr. state celebration commission derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Martin Luther King Jr. state celebration commission. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar contribution to the Martin Luther King Jr. state celebration commission fund, the Martin Luther King Jr. state celebration commission shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Martin Luther King Jr. state celebration commission and the words "I HAVE A DREAM" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

3. A vehicle owner who was previously issued a plate with the Martin Luther King Jr. state celebration commission's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Martin Luther King Jr. state celebration commission's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a "I HAVE A DREAM" specialty personalized plate authorized under this section the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the

implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If an applicant chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plates fees in accordance with this chapter shall be required.”; and

Further amend said bill, Pages 18 and 19, Section 301.4043, Lines 1 through 23, by deleting all of said sections and inserting in lieu thereof the following:

“301.4043. 1. Any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from such service may apply for special personalized motor vehicle license plates for any vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof of military service as the director may require.

3. Upon presentation of such proof of military service and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special personalized license plate which shall bear the words “WOMEN VETERANS” at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. There shall be an additional fee of fifteen dollars charged for each set of special personalized license plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

5. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person.

6. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

7. The director may consult with any organization which represents the interests of women veterans when formulating the design for the special license plates described in this section.

8. The director shall make all necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rule making authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 2** was adopted.

Representative Gatschenberger offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 767, 653, 754, 705, 441, 528, 831, 833 & 847, Page 9, Section 301.3161, Line 49, by after all of said section and line inserting the following:

“301.3163. Any person may apply for [special] **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the [special] **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the [advisory committee established in section 301.129] **director**, with the words "DON'T TREAD ON ME" [in place of the words "SHOW-ME STATE"] **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 3** was adopted.

Representative Wallingford offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 767, 653, 754, 705, 441, 528, 831, 833 & 847, Page 2, Section 143.1009, Line 39,

“143.1026. 1. This section shall be known and may be cited as "Sahara's Law".

2. For all taxable years beginning on or after January 1, 2012, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the pediatric cancer research trust fund. If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount the individual or corporation wishes to contribute. Such amounts shall be clearly designated for the fund.

3. There is hereby created in the state treasury the "Pediatric Cancer Research Trust Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. All moneys credited to the trust fund shall be considered nonstate funds under section 15, article IV, Constitution of Missouri. The treasurer shall distribute all moneys deposited in the fund at times the treasurer deems appropriate to CureSearch for children's cancer.

4. The director of revenue shall deposit at least monthly all contributions designated by individuals under this section to the state treasurer for deposit to the fund. The director of revenue shall deposit at least monthly all contributions designated by the corporations under this section, less an amount sufficient to cover the costs of collection and handling by the department of revenue, to the state treasury for deposit to the fund. A contribution designated under this section shall only be deposited in the fund after all other claims against the refund from which such contribution is to be made have been satisfied.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 4** was adopted.

On motion of Representative Sater, **HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, as amended**, was adopted.

On motion of Representative Sater, **HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, as amended**, was read the third time and passed by the following vote:

AYES: 086

Allen	Anders	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Elmer	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Gosen
Grisamore	Guernsey	Hampton	Harris	Hinson
Holsman	Hoskins	Johnson	Jones 89	Jones 117
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McGhee
Meadows	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Riddle	Rowland	Sater	Schad	Schieber
Schieffer	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Talboy
Thomson	Torpey	Wallingford	White	Wright
Wyatt				

NOES: 039

Asbury	Atkins	Aull	Carlson	Carter
Colona	Conway 14	Ellington	Fuhr	Haefner
Higdon	Hodges	Hubbard	Jones 63	Kander
Kirkton	Lampe	Leach	May	McCreery
McManus	McNeil	Montecillo	Morgan	Newman

Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Walton Gray	Webb	

PRESENT: 003

Ellinger	Kelly 24	Marshall
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ABSENT WITH LEAVE: 035

Cierpiot	Cross	Denison	Dieckhaus	Diehl
Dugger	Entlicher	Flanigan	Franklin	Funderburk
Gatschenberger	Hough	Houghton	Hughes	Hummel
Keeney	Lauer	Leara	Lichtenegger	McDonald
McNary	Nolte	Pollock	Richardson	Ruzicka
Scharnhorst	Schatz	Schneider	Taylor	Webber
Wells	Weter	Wieland	Zerr	Mr Speaker

Representative Schad declared the bill passed.

COMMITTEE REPORT

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1402

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1402;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Eric Burlison
/s/ Noel Torpey
/s/ Ryan Silvey
/s/ Mike Talboy
/s/ Susan Carlson

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Mike Kehoe
/s/ Luann Ridgeway
/s/ Jolie Justus
/s/ Ryan McKenna

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 455**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 455, with House Amendments Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 455, as amended;
2. The Senate recede from its position on Senate Bill No. 455;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 455 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce
/s/ Dan Brown
/s/ Bob Dixon

FOR THE HOUSE:

/s/ Mike Thomson
/s/ Gail McCann Beatty
/s/ Tishaura Jones

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 470**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendments Nos. 3, 4, 5, 6, House Amendment Nos. 1 and 3 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment Nos. 8, 9, 10, 11, House Substitute Amendment No. 1 for House Amendment No. 12 and House Amendment No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 470;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon
/s/ Robert Mayer
/s/ Jack Goodman
/s/ Jolie Justus
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Eric Burlison
/s/ Jason Smith
/s/ Charlie Denison
/s/ Tim Meadows
/s/ Joseph Fallert, Jr.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 480**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2 and 3, House Amendment Nos. 1 and 2 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7 and 8, House Amendment Nos. 1 and 2 to House Amendment No. 9, House Amendment No. 9 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 480;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Mike Kehoe
/s/ Kevin Engler
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Eric Burlison
/s/ Caleb Johnson
/s/ Charlie Denison
/s/ Joseph Fallert, Jr.

**CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 599**

The Conference Committee appointed on Senate Bill No. 599, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 1 and 2 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 599, as amended;
2. The Senate recede from its position on Senate Bill No. 599;
3. That the attached Conference Committee Substitute for Senate Bill No. 599 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ David Pearce
/s/ Mike Kehoe
/s/ Joseph Keaveny
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Scott Dieckhaus
/s/ Rick Stream
/s/ Paul Fitzwater
/s/ Sara Lampe
/s/ Joe Aull

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 628**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 628, with House Amendments Nos. 1, 2, House Amendment Nos. 1 and 2 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendments Nos. 5, 6, 7, 8, 9, 10, 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, House Amendment No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 628, as amended;
2. The Senate recede from its position on Senate Bill No. 628;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 628, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Mike Kehoe
/s/ Bob Dixon
/s/ Jolie Justus
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Stan Cox
/s/ John Diehl
/s/ Kevin Elmer
/s/ Susan Carlson
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 631**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, with House Amendment Nos. 1, 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 8, and House Amendment No. 8 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 631;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Parson
/s/ Brian Munzlinger
/s/ Bill Stouffer
/s/ Victor Callahan
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Bill Reiboldt
/s/ Casey Guernsey
/s/ Tom Loehner
/s/ Ed Schieffer
/s/ Sylvester Taylor

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 749**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 749, with House Amendment Nos. 1, 2, 3 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 749, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Bill No. 749;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Lamping
/s/ Tom Dempsey
/s/ Ron Richard

FOR THE HOUSE:

/s/ Timothy Jones
/s/ Sandy Crawford
/s/ Stan Cox

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 769**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 769, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2, 3, 4, 5 and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 769, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Bill No. 769;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 769 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Timothy Green

FOR THE HOUSE:

/s/ Todd Richardson
/s/ Anne Zerr
/s/ Mike Cierpiot
/s/ Sylvester Taylor
/s/ Scott Sifton

RECESS

Representative Jones (89) moved that the House stand in recess until such time as the Conference Committee Report on **SS#2 SCS HB 1170, as amended**, is distributed or 1:00 a.m., whichever is sooner, then stand adjourned until 10:00 a.m., Friday, May 18, 2012.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1170

The Conference Committee appointed on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, with Senate Amendment Nos. 1, 2, 3, and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, as amended;
2. That the House recede from its position on House Bill No. 1170;
3. That the attached Conference Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Ward Franz
/s/ Anne Zerr
/s/ Todd Richardson
/s/ Mike Talboy
/s/ John Rizzo

FOR THE SENATE:

/s/ Mike Parson
/s/ Eric Schmitt
/s/ Victor Callahan

ADJOURNMENT

Pursuant to the motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, May 18, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW

Friday, May 18, 2012, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

RULES - PURSUANT TO RULE 25(32)(F)

Friday, May 18, 2012, 8:45 AM North Gallery.

Executive session may be held on any or all bills referred to this committee.

CORRECTED

HOUSE CALENDAR

SEVENTY-SIXTH DAY, FRIDAY, MAY 18, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 89 - Schoeller
- 2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198, as amended - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 4 HCS HB 1210, as amended - Gatschenberger
- 5 HCS HB 1795 - Ruzicka
- 6 HB 1966 - Burlison
- 7 HB 1779 - Flanigan
- 8 HCS HB 1794 - Grisamore
- 9 HCS HB 1754 - Cox
- 10 HCS HB 1815 - Pollock
- 11 HB 1842 - Lant
- 12 HCS HB 1935 - Franz
- 13 HB 2063, as amended - Denison
- 14 HCS HB 2100 - Denison
- 15 HCS HB 1709 - Hough
- 16 HCS#2 HB 1358 - Gatschenberger
- 17 HCS HB 1397 - Gatschenberger
- 18 HCS HBs 1542 & 1101 - Koenig
- 19 HCS#2 HB 1213 - Franklin

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- 20 HCS HB 1846 - Long
- 21 HCS HB 1585 - Cross
- 22 HCS HB 1971 - Schneider
- 23 HB 1690 - May
- 24 HB 1728 - Johnson
- 25 HB 1790 - Torpey
- 26 HCS HB 1970 - Jones (117)
- 27 HB 1144 - Gatschenberger
- 28 HB 1394 - Brandom
- 29 HB 1456 - Black
- 30 HCS HB 1609 - Nasheed
- 31 HCS HB 1612 - Burlison
- 32 HB 2038 - Wallingford
- 33 HCS HB 1877 - Sommer

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 1298 & 1180 - Parkinson
- 2 HB 1066 - McGhee

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 55 - Nolte
- 2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

- 1 HCS SB 620 - Gosen
- 2 HCS SCS SB 856 - Barnes
- 3 SS SCS SBs 489 & 637, E.C. - Franz
- 4 SCS SB 788 - Diehl
- 5 HCS SCS SB 655 - Kelly (24)
- 6 HCS SB 667 - Korman
- 7 HCS SCS SB 671, E.C. - Dugger
- 8 HCS SB 557 - Franz
- 9 HCS SB 594 - Pollock
- 10 SCS SB 835, E.C. - Bernskoetter
- 11 SS SB 464 - Burlison
- 12 HCS SB 721, E.C. - Diehl
- 13 SS SB 727 - Silvey

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 1150, as amended - Smith (150)
- 2 SS SCS HCS HB 1498 - Hough
- 3 SCS HCS HB 1758 - Long
- 4 SCS HCS#2 HB 1323 - Black
- 5 SS SCS HCS HB 1280 - Korman
- 6 SCS HCS HB 1827 - Richardson
- 7 HCS HB 1171, with SA 1 - Franz
- 8 SS HCS HB 1576, as amended - Largent
- 9 SS SCS HB 1820, E.C. - Asbury
- 10 SCS HCS HCR 33, E.C. - Bernskoetter
- 11 HCS HB 1818, with SA 1 & SA 2 - Schad
- 12 SS SCS HB 1251, as amended, E.C. - Ruzicka
- 13 SS HCS HB 1647, as amended, E.C. - Riddle
- 14 HCS HB 1644, with SA 1 to SA 1 & SA 1, as amended - Barnes

BILLS CARRYING REQUEST MESSAGES

- 1 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 AND HB1878, as amended (request House take up and pass bill) - Marshall
- 2 HCS SB 636, as amended (House refuses further conference/request Senate adopt CCR/pass bill) - Diehl
- 3 SCS HCS HB 1072, (request Senate recede/grant conference) - Sater
- 4 HB 1424, with SA 1 to SA 1 & SA 1, as amended, (request Senate recede/grant conference) - Marshall
- 5 SB 893, with HA 1, (request House recede/grant conf) - Richardson
- 6 HCS SB 701, as amended, (request House recede/take up and pass bill) - Wright

BILLS IN CONFERENCE

- 1 CCR SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
- 2 CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
- 3 CCR HCS SCS SB 569, as amended - Dugger
- 4 CCR SS SCS HB 1073 AND HCS HB 1477, as amended - Sater
- 5 CCR HCS SCS SB 498, as amended, E.C. - Shumake
- 6 HCS SS SCS SB 467, as amended - Cox
- 7 CCR#2 HCS SB 455, as amended - Thomson
- 8 CCR HCS SB 578, as amended, E.C. - Cox
- 9 CCR HCS SB 628, as amended - Kelly (24)
- 10 CCR HCS SCS SB 635, as amended (conferees exceed differences), E.C. - Phillips
- 11 CCR SS SCS HCS HB 1402, as amended, E.C. - Burlison
- 12 CCR HCS SS SCS SB 470, as amended - Burlison
- 13 CCR SS SB 665, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, - Asbury
- 14 HCS SCS SB 711, as amended - Largent

- 15 HCS SB 739, as amended - Cox
- 16 CCR HCS SCS SB 631, as amended - Reiboldt
- 17 CCR SB 599, with HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended &
HA 5, E.C. - Dieckhaus
- 18 HCS SCS SB 726, as amended - Wells
- 19 CCR HCS#2 SCS SB 480, as amended - Burlison
- 20 HCS SCS SB 673, as amended, E.C. - Day
- 21 HCS SS SB 854, as amended, E.C. - Long
- 22 CCR HCS SS SB 749, as amended, E.C. - Jones (89)
- 23 HCS SB 668, as amended - Diehl
- 24 CCR HCS SS SB 769, as amended - Cierpiot
- 25 CCR SS#2 SCS HB 1170, as amended, E.C. - Franz
- 26 HCS SB 813, as amended - Dieckhaus
- 27 SS HB 1318, as amended - Riddle
- 28 HCS#2 SCS SB 729, as amended, E.C. - Kelly (24)
- 29 HCS SCS SB 510, as amended, E.C. - Diehl
- 30 SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis

SENATE CONCURRENT RESOLUTIONS

- 1 SS SCR 16 - Asbury
- 2 SCS SCR 17 - Diehl
- 3 SCR 24 - Davis
- 4 SCR 15 - Schieffer
- 5 SCR 26 - Cierpiot

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-SIXTH DAY, FRIDAY, MAY 18, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In all these things we are more than conquerors through Him who loves us. (Romans 8:37)

Almighty and Everlasting God, Who is always more ready to hear than we are to pray, and gives more than we desire or deserve, we humbly beseech You to take our lives into Your loving hands and to hold us steady that we may feel Your power underneath us, Your love about us, Your truth above us, and Your spirit within us on this last day of session.

Help us to cast out every fear, strengthen us to walk in all good ways, set our affections upon things above, and give the joy that humble service bestows and the peace of heart that comes to those committed to You and to the coming of Your kingdom.

Bless all assembled here representing our people, especially those whose terms are concluding. Grant unto them the spirit of wisdom, goodness, and truth; and so rule their hearts and bless their endeavors, that law and order, justice, and peace may everywhere prevail to the honor of our state and glory of Your name.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Corbin Schaffter, Madison Haldiman and Mikayla Haldiman.

The Journal of the seventy-fifth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3302 through House Resolution No. 3344

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 595** and has taken up and passed **HCS SS SCS SB 595**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 611, as amended**, and has taken up and passed **CCS SB 611**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 625, as amended**, and has taken up and passed **HCS SCS SB 625, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 to SS SCS SB 633**, and requests the House to recede from its position on **HA 1** and take up and pass **SS SCS SB 633**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 749, as amended**, and has taken up and passed **CCS HCS SS SB 749**.

Emergency clause adopted.

BILL IN CONFERENCE

CCR SS SCS HCS HB 1402, as amended, relating to road use, was taken up by Representative Burlison.

On motion of Representative Burlison, **CCR SS SCS HCS HB 1402, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake

Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Oxford	Schupp
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PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Carter	Cookson	Frederick	Grisamore
Haefner	Hubbard	Kelley 126	May	McDonald
Meadows	Parkinson	Scharnhorst	Schatz	Webb
Webber				

On motion of Representative Burlison, **CCS SS SCS HCS HB 1402** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Swearingen	Swinger

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Talboy	Taylor	Thomson	Torpey	Wallingford
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 004

Ellinger	Kirkton	Oxford	Schupp
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PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Brown 50	Carter	Cookson	Frederick
Lant	Loehner	McDonald	Meadows	Parkinson
Ruzicka	Schatz	Stream	Walton Gray	Webb
Webber	Wells			

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 008

Bahr	Ellinger	Ellington	Marshall	May
Nichols	Schupp	Taylor		

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Brown 116	Diehl	Frederick	Gatschenberger
Higdon	Hughes	Kelly 24	Lampe	McDonald
Meadows	Nolte	Parkinson	Riddle	Schatz
Webb	Webber			

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 1150, as amended, relating to salvage motor vehicles, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **SS SCS HCS HB 1150, as amended**, was adopted by the following vote:

AYES: 145

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

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ABSENT WITH LEAVE: 018

Allen	Brandom	Brown 50	Carter	Denison
Diehl	Frederick	Funderburk	Holsman	McDonald
Meadows	Nasheed	Parkinson	Schad	Scharnhorst
Schatz	Swearingen	Webber		

On motion of Representative Smith (150), **SS SCS HCS HB 1150, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Weter
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Brown 50	Carter	Frederick	McDonald
Meadows	Nasheed	Parkinson	Scharnhorst	Schatz
Webber	Wells	White		

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

SS SCS HCS HB 1498, relating to Sunday liquor sales, was taken up by Representative Hough.

On motion of Representative Hough, **SS SCS HCS HB 1498** was adopted by the following vote:

AYES: 097

Anders	Aull	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Burlison	Carlson	Cierpiot
Colona	Conway 14	Cookson	Cox	Curtman
Day	Dieckhaus	Diehl	Ellinger	Elmer
Fallert	Fraker	Fuhr	Funderburk	Gatschenberger
Gosen	Haefner	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Leara	Loehner	Long
McCann Beatty	McCreery	McGeoghegan	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Redmon	Riddle	Rizzo
Ruzicka	Schad	Schieber	Schieffer	Schneider
Schupp	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Swearingen	Talboy
Taylor	Torpey	Walton Gray	Webb	Weter
Wyatt	Zerr			

NOES: 050

Asbury	Bahr	Black	Brattin	Casey
Cauthorn	Conway 27	Crawford	Cross	Davis
Denison	Dugger	Ellington	Entlicher	Fisher
Fitzwater	Flanigan	Franklin	Franz	Grisamore
Guernsey	Hampton	Harris	Hodges	Lant
Lasater	Lauer	Leach	Marshall	May
McCaherty	McGhee	Nasheed	Phillips	Pollock
Reiboldt	Rowland	Sater	Schoeller	Shively
Shumake	Smith 150	Stream	Swinger	Thomson
Wallingford	Wells	White	Wieland	Wright

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Atkins	Brown 50	Brown 116	Carter
Frederick	Lichtenegger	McDonald	Meadows	Nolte
Parkinson	Richardson	Scharnhorst	Schatz	Webber
Mr Speaker				

On motion of Representative Hough, **SS SCS HCS HB 1498** was truly agreed to and finally passed by the following vote:

AYES: 095

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Brandom	Brown 116	Burlison	Carlson
Cierpiot	Colona	Conway 14	Cookson	Cox
Curtman	Dieckhaus	Diehl	Ellinger	Elmer
Fallert	Fraker	Fuhr	Funderburk	Gosen
Haefner	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Leara
Lichtenegger	Loehner	Long	McCann Beatty	McCreery
McGeoghegan	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Redmon	Riddle	Rizzo	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schupp
Sifton	Silvey	Smith 71	Solon	Sommer
Spreng	Still	Swearingen	Talboy	Taylor
Torpey	Walton Gray	Weter	Wyatt	Zerr

NOES: 053

Anders	Asbury	Bahr	Black	Brattin
Casey	Cauthorn	Conway 27	Crawford	Cross
Davis	Day	Dugger	Ellington	Entlicher
Fisher	Fitzwater	Flanigan	Franklin	Franz
Gatschenberger	Grisamore	Guernsey	Hampton	Harris
Hodges	Lant	Lasater	Lauer	Leach
Marshall	May	McCaherty	McGhee	Meadows
Nasheed	Phillips	Pollock	Reiboldt	Rowland
Sater	Schoeller	Shively	Shumake	Smith 150
Stream	Swinger	Thomson	Wallingford	Wells
White	Wieland	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Brown 85	Carter	Denison	Frederick
Lampe	Largent	McDonald	Nolte	Parkinson
Richardson	Schatz	Webb	Webber	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 1758, relating to parent/child relationships, was taken up by Representative Long.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	May	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Carter	Dieckhaus	Diehl	Frederick
Hughes	Klippenstein	Lampe	McCann Beatty	McDonald
McGhee	Nolte	Parkinson	Schatz	Webb
Webber	Wright	Zerr	Mr Speaker	

On motion of Representative Long, **SCS HCS HB 1758** was adopted by the following vote:

AYES: 114

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Burlison	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz

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Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGeoghegan	McGhee	McNary	McNeil
Meadows	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 037

Anders	Asbury	Atkins	Brattin	Carlson
Colona	Conway 14	Ellinger	Ellington	Fuhr
Hodges	Holsman	Hummel	Kander	Kirkton
Lasater	Marshall	May	McCreery	McManus
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Rizzo	Schieber	Schupp	Sifton
Smith 71	Spreng	Swearingen	Talboy	Taylor
Walton Gray	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 116	Carter	Frederick	Hughes	McCann Beatty
McDonald	Nolte	Sater	Schatz	Webb
Webber	Mr Speaker			

On motion of Representative Long, **SCS HCS HB 1758** was truly agreed to and finally passed by the following vote:

AYES: 106

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson

Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 039

Anders	Asbury	Atkins	Carlson	Colona
Conway 14	Ellington	Fuhr	Hodges	Holsman
Hummel	Kander	Kirkton	Lampe	Lasater
Marshall	May	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieber
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Taylor	Walton Gray	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carter	Cox	Curtman	Ellinger
Frederick	Funderburk	Hughes	Jones 89	Lant
McCann Beatty	McDonald	Nolte	Sater	Schatz
Webb	Webber	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HCS HB 1280, relating to a peer review for design professionals, was taken up by Representative Korman.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Silvey

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Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	May	McCann Beatty	McCreery	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Carter	Dieckhaus	Frederick	Funderburk
Hubbard	Hughes	Lampe	McDonald	Sater
Schatz	Webb	Webber	Wieland	Mr Speaker

On motion of Representative Korman, **SS SCS HCS HB 1280** was adopted by the following vote:

AYES: 097

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McGhee	McNary	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Kander	Kirkton	Kratky	Lampe	Largent

Lasater	Marshall	McCaherty	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Solon
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 013

Asbury	Carter	Dieckhaus	Frederick	Funderburk
Hubbard	Hughes	Jones 63	May	McDonald
Schatz	Webb	Webber		

On motion of Representative Korman, **SS SCS HCS HB 1280** was truly agreed to and finally passed by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McGhee	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 057

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kirkton	Kratky
Lampe	Largent	Lasater	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Wyatt			

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PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Day	Dieckhaus	Frederick	Funderburk
Hughes	McDonald	McNary	Schatz	Webb
Webber				

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 1827, relating to the Missouri Electronic and Prior Authorization Committee, was taken up by Representative Richardson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kirkton
Koenig	Lair	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schneider	Schoeller
Shumake	Silvey	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 042

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellington	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kratky	Lampe	May
McCann Beatty	McCreery	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Pace	Pierson	Rizzo	Schieber	Schupp
Shively	Smith 71	Spreng	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 030

Berry	Carter	Colona	Day	Dieckhaus
Ellinger	Flanigan	Frederick	Funderburk	Gatschenberger
Guernsey	Holsman	Hughes	Klippenstein	Korman
Lant	Leach	McDonald	McManus	Oxford
Quinn	Redmon	Schatz	Schieffer	Sifton
Smith 150	Still	Swearingen	Webb	Webber

On motion of Representative Richardson, **SCS HCS HB 1827** was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 005

Brattin	Colona	Ellington	May	Schieber
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PRESENT: 000

ABSENT WITH LEAVE: 021

Atkins	Carter	Curtman	Day	Dieckhaus
Diehl	Frederick	Funderburk	Guernsey	Hughes
Jones 63	Kander	Kelly 24	Koenig	Marshall
McDonald	Sater	Schatz	Schneider	Webb
Webber				

On motion of Representative Richardson, **SCS HCS HB 1827** was truly agreed to and finally passed by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 009

Brattin	Colona	Curtman	Ellington	Koenig
Leach	Marshall	Schieber	Still	

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 116	Carter	Davis	Day	Dieckhaus
Frederick	Funderburk	Guernsey	Higdon	Hughes
Lair	May	McDonald	Molendorp	Sater
Schad	Schatz	Swinger	Webb	Webber

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1171, with Senate Amendment No. 1, relating to juvenile court jurisdiction, was taken up by Representative Franz.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Sifton
Smith 71	Spreng	Swearingen	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 016

Carter	Day	Diehl	Elmer	Frederick
Funderburk	Hughes	McDonald	Molendorp	Newman
Schatz	Smith 150	Still	Webb	Webber
Zerr				

On motion of Representative Franz, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot

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Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Colona	Day	Diehl	Frederick
Funderburk	Grisamore	Guernsey	Hughes	Kander
Lampe	McDonald	Schad	Schatz	Schneider
Webb	Webber			

On motion of Representative Franz, **HCS HB 1171, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair

Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Colona	Davis	Day	Diehl
Flanigan	Frederick	Funderburk	Guernsey	Hughes
McDonald	Schatz	Walton Gray	Webb	Webber

Speaker Pro Tem Schoeller declared the bill passed.

SS HCS HB 1576, as amended, relating to state insurance for foster parents, was taken up by Representative Largent.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon

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Sommer	Stream	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Carter	Day	Flanigan	Frederick
Funderburk	Hughes	Long	McDonald	McGhee
Schatz	Schneider	Wallingford	Webb	Webber
Mr Speaker				

On motion of Representative Largent, **SS HCS HB 1576, as amended**, was adopted by the following vote:

AYES: 144

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150

Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Bernskoetter	Carter	Day	Frederick
Funderburk	Gatschenberger	Grisamore	Holsman	Hughes
McDonald	McNeil	Nasheed	Reiboldt	Schatz
Wallingford	Walton Gray	Webb	Webber	

On motion of Representative Largent, **SS HCS HB 1576, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lampe	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Carter	Day	Frederick	Funderburk
Hughes	Lair	Largent	McDonald	Schatz
Webb	Webber			

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HB 1820, relating to a conveyance in Macon County, was taken up by Representative Asbury.

On motion of Representative Asbury, **SS SCS HB 1820** was adopted by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Morgan	Nance
Nasheed	Neth	Nolte	Pace	Parkinson
Phillips	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 011

Ellinger	Ellington	Kirkton	McCann Beatty	McCreery
Montecillo	Newman	Oxford	Pierson	Pollock
Talboy				

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Day	Dieckhaus	Dugger	Fisher
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Frederick	Funderburk	Hughes	Jones 117	McDonald
Nichols	Schatz	Smith 71	Smith 150	Webb
Webber	Wright			

On motion of Representative Asbury, **SS SCS HB 1820** was truly agreed to and finally passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Loehner	Long	Marshall
May	McCaherty	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Morgan
Nance	Neth	Nolte	Pace	Parkinson
Phillips	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 011

Ellinger	Ellington	Kirkton	McCann Beatty	McCreery
Montecillo	Newman	Oxford	Pierson	Pollock
Talboy				

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Day	Dieckhaus	Frederick	Funderburk
Hughes	Jones 117	Lichtenegger	McDonald	Nasheed
Nichols	Sater	Schatz	Smith 71	Webb
Webber	Wright			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schieber	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 022

Carlson	Ellington	Kirkton	Marshall	May
McCann Beatty	McCreery	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pollock	Schupp	Spreng	Swearingen	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 018

Carter	Day	Dieckhaus	Frederick	Funderburk
Grisamore	Guernsey	Hughes	Jones 117	McDonald
Sater	Scharnhorst	Schatz	Schieffer	Smith 71
Webb	Webber	Wright		

SCS HCS HCR 33, relating to state employee wages, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **SCS HCS HCR 33** was adopted by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Day	Dieckhaus	Elmer	Frederick
Funderburk	Gatschenberger	Hubbard	Hughes	Leara
McDonald	Schatz	Smith 71	Webb	Webber
Wright	Mr Speaker			

The emergency clause was adopted by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	May	McCahterty	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swinger	Talboy	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Zerr	Mr Speaker			

NOES: 016

Bahr	Ellinger	Hughes	Jones 63	Kirkton
Lasater	Marshall	McCann Beatty	McCreery	Schieber
Schupp	Spreng	Swearingen	Taylor	Walton Gray
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Day	Dieckhaus	Flanigan	Frederick
Funderburk	Hubbard	Long	McDonald	Nasheed
Schatz	Smith 71	Webb	Webber	Wright

HCS HB 1818, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to property tax, was taken up by Representative Schad.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wyatt	Zerr	

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Casey	Colona	Conway 27	Ellinger	Ellington
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 022

Carlson	Carter	Davis	Day	Dieckhaus
Fallert	Frederick	Funderburk	Hughes	Jones 117
May	McCreery	McDonald	Schad	Schatz
Smith 71	Stream	Webb	Webber	Wells
Wright	Mr Speaker			

On motion of Representative Schad, the House concurred in **Senate Amendment No. 1** and **Senate Amendment No. 2** by the following vote:

AYES: 125

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
McCaherty	McCreery	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Talboy
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 021

Atkins	Carlson	Ellinger	Ellington	Hughes
Hummel	Kratky	Lampe	McGeoghegan	McNeil
Montecillo	Morgan	Oxford	Pace	Rizzo
Schupp	Sifton	Spreng	Still	Swearingen
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 017

Bahr	Brown 50	Carter	Curtman	Day
Frederick	Funderburk	Long	May	McCann Beatty
McDonald	Schatz	Smith 71	Taylor	Webb
Webber	Wright			

On motion of Representative Schad, **HCS HB 1818, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Aull	Barnes
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Talboy	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr			

NOES: 021

Atkins	Bernskoetter	Carlson	Ellinger	Ellington
Hughes	Hummel	Kratky	McGeoghegan	McNeil
Morgan	Oxford	Pace	Rizzo	Schupp
Sifton	Spreng	Still	Swearingen	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 015

Bahr	Brown 116	Carter	Day	Frederick
Funderburk	May	McDonald	Montecillo	Schatz
Smith 71	Webb	Webber	Wright	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HB 1251, as amended, relating to Safe Drinking Water Act fees, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **SS SCS HB 1251, as amended**, was adopted by the following vote:

AYES: 135

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 116	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 011

Asbury	Burlison	Curtman	Kirkton	Koenig
Marshall	McCreery	Newman	Oxford	Schupp
Spreng				

PRESENT: 000

ABSENT WITH LEAVE: 017

Berry	Brown 85	Carlson	Carter	Dieckhaus
Flanigan	Frederick	Funderburk	Long	May
McDonald	Schad	Schatz	Smith 71	Webb
Webber	Wright			

On motion of Representative Ruzicka, **SS SCS HB 1251, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Dugger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 015

Asbury	Brattin	Burlison	Curtman	Flanigan
Kirkton	Koenig	Marshall	McCreery	Newman
Oxford	Pace	Schupp	Spreng	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 016

Carter	Dieckhaus	Ellinger	Elmer	Frederick
Funderburk	Hough	Kelly 24	May	McDonald
Richardson	Schatz	Smith 71	Webb	Webber
Wright				

Speaker Pro Tem Schoeller declared the bill passed.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schieber	Schneider
Schoeller	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 018

Carter	Davis	Dieckhaus	Flanigan	Frederick
Funderburk	Gatschenberger	May	McDonald	Nasheed
Schad	Scharnhorst	Schatz	Shumake	Smith 71
Webb	Webber	Wright		

The emergency clause was adopted by the following vote:

AYES: 122

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Long	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 024

Asbury	Bahr	Colona	Ellington	Kander
Kirkton	Leach	Marshall	McCann Beatty	McCreery
McNeil	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Schupp	Sifton	Spreng
Still	Swearingen	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Carter	Davis	Dieckhaus	Diehl
Fisher	Flanigan	Frederick	Funderburk	May
McDonald	Scharnhorst	Schatz	Smith 71	Webb
Webber	Wright			

SS HCS HB 1647, as amended, relating to the collection of hazardous waste fees, was taken up by Representative Riddle.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Crawford
Cross	Curtman	Day	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wyatt	Zerr	

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Carter	Colona	Cox	Davis
Denison	Diehl	Frederick	Funderburk	May
McDonald	Scharnhorst	Schatz	Smith 71	Webb
Webber	Weter	Wright	Mr Speaker	

On motion of Representative Riddle, **SS HCS HB 1647, as amended**, was adopted by the following vote:

AYES: 133

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 017

Carlson	Ellinger	Ellington	Holsman	Hughes
Kirkton	McCann Beatty	McCreery	McNeil	Morgan
Newman	Oxford	Pace	Schupp	Sifton
Spreng	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Brattin	Carter	Colona	Frederick
Funderburk	May	McDonald	Schatz	Smith 71
Webb	Webber	Mr Speaker		

On motion of Representative Riddle, **SS HCS HB 1647, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 128

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGeoghegan	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 019

Carlson	Ellinger	Ellington	Holsman	Hughes
Kirkton	McCann Beatty	McCreery	McNeil	Morgan
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Spreng	Still	Taylor	

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Black	Brattin	Carter	Colona
Flanigan	Frederick	Funderburk	Hubbard	May
McDonald	Schatz	Smith 71	Webb	Webber
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 125

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Casey	Cauthorn
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 021

Bahr	Colona	Ellington	Holsman	Hughes
Jones 63	Kirkton	Marshall	McCann Beatty	McCreery
McNeil	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Spreng	Still	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 017

Atkins	Black	Brattin	Carter	Cierpiot
Diehl	Frederick	Funderburk	Keeney	May
McDonald	Schatz	Schieffer	Smith 71	Webb
Webber	Mr Speaker			

SCS HCS#2 HB 1323, relating to child care, paternity and bail bonds, was taken up by Representative Black.

On motion of Representative Black, **SCS HCS#2 HB 1323** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carter	Denison	Dieckhaus	Diehl
Fisher	Flanigan	Frederick	Funderburk	Hughes
May	McDonald	Scharnhorst	Schatz	Smith 71
Webb	Webber	Mr Speaker		

On motion of Representative Black, **SCS HCS#2 HB 1323** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Carter	Flanigan	Frederick	Funderburk
Grisamore	Hubbard	Hughes	May	McDonald
Meadows	Scharnhorst	Smith 71	Webb	Webber
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1644, with Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended, relating to excursion gambling boat licenses, was taken up by Representative Barnes.

On motion of Representative Barnes, the House concurred in **Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended**, by the following vote:

AYES: 137

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Weter	White	Wieland
Wright	Zerr			

NOES: 006

Asbury	Bahr	Lasater	Marshall	McCaherty
Shumake				

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Carter	Conway 14	Ellington	Fisher
Flanigan	Frederick	Funderburk	Hughes	Hummel
May	McDonald	Funderbush	Smith 71	Spreng
Webb	Webber	Wells	Wyatt	Mr Speaker

On motion of Representative Barnes, **HCS HB 1644, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McCreery	McGeoghegan	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 007

Asbury	Bahr	Ellington	Hughes	Lasater
Marshall	Shumake			

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carter	Conway 14	Flanigan	Frederick
Funderburk	May	McDonald	McGhee	Meadows
Pollock	Scharnhorst	Smith 71	Spreng	Webb
Webber	Wells	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 769**, as **amended**, and has taken up and passed **CCS HCS SS SB 769**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1051**, entitled:

An act to repeal sections 361.070, 361.080, and 513.653, RSMo, and to enact in lieu thereof four new sections relating to audits, with existing penalty provisions.

With Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1051, Page 1, Section A, Line 4, by inserting immediately after said line the following:

"23.140. 1. Legislation, with the exception of appropriation bills, introduced into either house of the general assembly shall, before being acted upon, be submitted to the oversight division of the committee on legislative research for the preparation of a fiscal note. The staff of the oversight division shall prepare a fiscal note, examining the items contained in subsection 2 and such additional items as may be provided either by joint rule of the house and senate or by resolution adopted by the committee or the oversight subcommittee.

2. The fiscal note shall state:

- (1) The cost of the proposed legislation to the state for the next two fiscal years;
- (2) Whether or not the proposed legislation will establish a program or agency that will duplicate an existing program or agency;
- (3) Whether or not there is a federal mandate for the program or agency;
- (4) Whether or not the proposed program or agency will have significant direct fiscal impact upon any political subdivision of the state;
- (5) Whether or not any new physical facilities will be required; and
- (6) Whether or not the proposed legislation will have an economic impact on small businesses. For the purpose of this subdivision "small business" means a corporation, partnership, sole proprietorship or other business entity, including its affiliates, that:

- (a) Is independently owned and operated; and
- (b) Employs fifty or fewer full-time employees.

3. The fiscal note for a bill shall accompany the bill throughout its course of passage. No member of the general assembly, lobbyist or persons other than oversight division staff members shall participate in the preparation of any fiscal note unless the communication is in writing, with a duplicate to be filed with the fiscal note or unless requested for information by the fiscal analyst preparing the note. Violations of this provision shall be reported to the chairman of the legislative research committee and subject the fiscal note and proposed bill to subcommittee review. Once a fiscal note has been signed and approved by the director of the oversight division, the note shall not be changed or revised without prior approval of the chairman of the legislative research committee, except to reflect changes made in the bill it accompanies, or to correct patent typographical, clerical or drafting errors that do not involve changes of substance, nor shall substitution be made therefor. Appeals to revise, change or to substitute a fiscal note shall be made in writing by a member of the general assembly to the chairman of the legislative research committee and a hearing before the committee or subcommittee shall be granted as soon as possible. Any member of the general assembly, upon presentation of new or additional material, may, within three legislative days after the hearing on the request to revise, change or substitute a fiscal note, request one rehearing before the full committee to further consider the requested change.

The subcommittee, if satisfied that new or additional material has been presented, may recommend such rehearing to the full committee, and the rehearing shall be held as soon as possible thereafter.

4. The director of the division, hereinafter provided for, or the director's designees, shall seek information and advice from the affected department, division or agency of state government and shall call upon the research staffs of the house of representatives and of the senate, and upon the staffs of the house and senate appropriations committees for assistance in carrying out fiscal notes and [auditing functions and duties] **evaluations of programs selected by the committee**, during the interim, and each staff shall supply such information or advice as it [may possess] **deems appropriate** in response to the inquiry. The state auditor shall, upon request, cooperate and provide assistance in the conduct of audits and the preparation of reports made in connection therewith.

23.150. 1. The committee on legislative research shall organize an oversight division to prepare fiscal notes and to conduct [management audits and] program [audits] **evaluations** of state agencies, **including program evaluations involving budget transparency and accountability**. The committee may form a subcommittee of not less than six members to provide direct supervision of the personnel and practices of the division. The subcommittee shall consist of one-half of the members appointed by the [chairman] **chair** from the house which he **or she** represents and one-half of the members appointed by the vice [chairman] **chair** from the house which he **or she** represents.

2. Within the limits of the appropriations made for this division, the committee shall employ a director of the oversight division and other personnel as it deems necessary. The director shall be qualified by training and experience to conduct such [audits] **evaluations**, and he **or she** shall be directly responsible for those activities. The director of the oversight division, with the consent of the joint committee, may employ personnel necessary to carry out the duties prescribed in this chapter. Persons employed to work in the oversight division shall be professional persons possessing a wide knowledge and demonstrated expertise in governmental programming and financial planning, in conducting program review evaluations and analytic studies, and of federal, state, and local government budgetary processes, laws and regulations of the state of Missouri. [Office space, furniture and equipment formerly assigned to the committee on state fiscal affairs, and appropriations made therefor, shall be transferred to the committee on legislative research.]

23.160. 1. [As used in this chapter, the term "management audit" means a postaudit which determines, with regard to the purpose, functions, and duties of an audited agency:

- (1) Whether the agency is managing and utilizing its resources in an economical and efficient manner; and
- (2) Which identifies causes of inefficiencies or uneconomical practices including inadequacies in the use and management of information systems, internal and administrative procedures, organizational structure, use of resources, allocation of personnel, and purchasing policies.

2.] As used in this chapter, the term "program [audit] **evaluation**" means a [postaudit] **study** which determines and evaluates program performance according to program objectives, responsibilities, and duties as set forth by statute or regulation. Program [audits] **evaluations**, in accordance with generally accepted program evaluation standards, shall determine:

- (1) Whether the program is being performed and administered as authorized or required by law, and whether this action conforms with statutory intent;
- (2) Whether the objectives and intended benefits are being achieved, and whether [efficiently and effectively] **the absence of such achievements suggest the need for correction or additional legislation**;
- (3) Benefits derived from any program in relation to the expenditures made therefor; and
- (4) Whether the program duplicates, overlaps, or conflicts with any other state program. [A program audit may include determinations within the scope of a management audit to the extent necessary or appropriate to the conduct of a particular program audit.

3.] 2. As used in this chapter, the term "resources" includes appropriated funds, federal funds, grants, and personnel, and also includes equipment and space, whether assigned, owned or leased.

[4.] 3. As used in this chapter, the term "agency" includes each department and office within the executive branch of government and each identifiable unit thereof, including institutions of higher learning, and each identifiable unit of the legislative and judicial branches of government.

23.170. 1. The oversight division of the committee on legislative research shall, pursuant to a duly adopted concurrent resolution of the general assembly, or pursuant to a resolution adopted by the committee on legislative research, conduct [management audits and] program [audits] **evaluations** of agencies as directed by any such resolution.

2. The staff of any agency subject to a [management or] program [audit] **evaluation** shall fully cooperate with the staff of the oversight division and shall provide all necessary information and assistance for such an [audit] **evaluation**. All records of an agency, unless otherwise expressly declared by law to be confidential, may be inspected by the oversight division staff while conducting the [audit] **evaluation**, and the agency subject to the [audit] **evaluation** shall afford the oversight division staff with ample opportunity to observe agency operations.

3. All [audits] **evaluations** shall be completed within one year unless an extension is authorized by the committee, but progress reports shall be made to the committee at least [monthly] **quarterly**. [The subcommittee supervising the oversight division shall meet monthly to review progress reports, hear requests for changes in fiscal notes, and provide supervision for the oversight division staff.]

4. Any member of the general assembly and any committee of either house of the general assembly may submit requests for [audits] **program evaluations** to the committee on legislative research, and any agency may request an [audit] **evaluation** of its operations. **The director of the division shall present program evaluations completed during the previous legislative interim period to appropriate committees of each chamber during early hearings of those committees at the next regular session.**

23.180. The committee may:

(1) Subpoena and examine witnesses by subpoena issued under the hand of the speaker of the house or the president pro tem of the senate and may require the appearance of any person and the production of any paper or document in the same manner;

(2) Cause witnesses appearing before the committee or [the] **its** staff [of the division] to give testimony under oath;

(3) Require that testimony given or a record of the proceedings of any hearing be recorded by an official court reporter or other competent person, under oath, in writing or by electronic, magnetic, or mechanical sound or video recording devices. Any such transcript or record, when certified by the reporter or recorder, shall be prima facie a correct statement of the testimony or proceedings.

23.190. 1. In making [audits] **program evaluations** the division shall make recommendations and suggestions, in writing, to the personnel of the agency being [audited] **evaluated**. Such personnel shall be given an opportunity to respond, in writing, to those recommendations and suggestions. Thereafter, as soon as practicable after completion of the [audit] **evaluation**, the committee shall issue a public report of the [audit] **evaluation**. The report shall contain recommendations for changes in practices and policies as well as recommendations for changes in statutes and regulations, and shall contain the response of the agency involved. Each report shall be a public record and shall be signed by the committee [chairman] **chair**. Each report shall be presented to the governor and the agency involved. Copies may be made available to members of the general assembly and to the general public. The committee may charge a fee to recover publication costs for copies made available to the general public.

2. One year after completion of each [audit] **evaluation**, the oversight division shall review the operations of the agency [audited] **evaluated** to determine whether or not there has been substantial compliance with the recommendations contained in the report, and if not, a further review shall be conducted at the end of another year. In each instance a further report shall be made and distributed in the same manner as an initial report is made and distributed.

23.265. 1. At the beginning of each regular session of the general assembly, the committee shall present to the general assembly and the governor a report on the programs scheduled to be sunset.

2. In the report, the committee shall include:

(1) Its specific findings regarding each of the criteria prescribed by section 23.268;

(2) Its recommendations based on the matters prescribed by section 23.271; and

(3) Any other information the committee deems necessary for a complete evaluation of the program.

3. The director of the oversight division shall present such reports to the house budget committee and the senate appropriations committee at such time as requested by the chairs of such committees."; and

Further amend said bill, Page 2, Section 513.653, Line 22, by inserting immediately after said line the following:

"[23.200. The staff of the committee on legislative research shall prepare a transfer-revision bill to be submitted to the ninetieth general assembly to revise the statutes so as to reflect the changes made by or pursuant to this act; except that, the committee on legislative research shall use fully the provisions of section 3.060 where such provisions will suffice. At such time as all statutory revision changes required pursuant to this act have gone into effect the revisor of statutes may prepare legislation to repeal this section.]" and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1051, Page 1, Section A, Line 4, by inserting after all of said line the following:

"21.940. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages.

2. The committee shall be composed of the following members:

- (1) Two majority party members and one minority party member of the house of representatives, to be appointed by the speaker and minority leader of the house of representatives respectively;**
- (2) Two majority party members and one minority party member of the senate, to be appointed by the president pro tempore and minority leader of the senate respectively;**
- (3) One representative from the governor's office;**
- (4) One representative from the state personnel advisory board; and**
- (5) Two members of the public, with one to be appointed by the speaker of the house of representatives and one to be appointed by the president pro tempore of the senate.**

A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

3. The committee shall be charged with the following:

- (1) Devising a focused and concise mission statement to guide actions of the committee;**
- (2) Requesting the office of administration to use moneys in the state employee wage study fund to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;**
- (3) Requesting the office of administration, with the advice and consent of the committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the governor, the house budget committee, and the senate appropriations committee by January 31, 2015;**
- (4) Such other matters as the committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues.**

4. The committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the committee deems relevant, political subdivisions of this state, and the general public.

5. There is hereby created in the state treasury the "State Employee Wage Study Fund" which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. The state treasurer shall deposit to the credit of such fund all moneys which may be appropriated to it by the general assembly and any gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. The general assembly may appropriate moneys into the fund to be used by the office of administration for the purpose of investing in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.

7. The provisions of this section shall expire on January 31, 2015."; and

Further amend said bill, Page 8, Section 513.653, Line 26, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to help attract and maintain a talented and dedicated workforce in order to best serve the needs of Missouri citizens, the enactment of section 21.940 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 21.940 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1051, Page 1, Section 29.375, Lines 8-9, by striking all of said lines and inserting in lieu thereof the following:

"appropriation for fiscal year 2012."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **SA 1, as amended to HB 1424**, and has taken up and passed **HB 1424**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1789**, entitled:

An act to repeal sections 162.431 and 167.121, RSMo, and to enact in lieu thereof two new sections relating to travel hardships of public school pupils.

With Senate Amendment No. 3.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1789, Pages 2-5, Section 167.121, by striking all of said section from the bill and inserting in lieu thereof the following:

"167.121. 1. If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his **or her** designee may assign the pupil to another district, **except as provided in section 1 of this act**. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. **Any assignment granted to a pupil under this section prior to August 28, 2012, shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment. Any assignment granted to a pupil under this section prior to August 28, 2012, shall also be applicable to any sibling of the pupil and shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment.** The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or a district that has scored either unaccredited or provisionally accredited, or a combination thereof, on two consecutive annual performance reports may enroll the parent's or guardian's child in the Missouri virtual school created in section 161.670 provided the pupil first enrolls in the school district of residence. The school district of residence shall include the pupil's enrollment in the virtual school created in section 161.670 in

determining the district's average daily attendance. Full-time enrollment in the virtual school shall constitute one average daily attendance equivalent in the school district of residence. Average daily attendance for part-time enrollment in the virtual school shall be calculated as a percentage of the total number of virtual courses enrolled in divided by the number of courses required for full-time attendance in the school district of residence.

(2) A pupil's residence, for purposes of this section, means residency established under section 167.020. Except for students residing in a K-8 district attending high school in a district under section 167.131, the board of the home district shall pay to the virtual school the amount required under section 161.670.

(3) Nothing in this section shall require any school district or the state to provide computers, equipment, Internet or other access, supplies, materials or funding, except as provided in this section, as may be deemed necessary for a pupil to participate in the virtual school created in section 161.670.

(4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

Section 1. 1. For any pupil residing in any unincorporated area located in a county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants that also borders on a county with a charter form of government and with more than nine hundred fifty thousand inhabitants and a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, for any pupil residing in any village with more than three hundred twenty but fewer than three hundred sixty inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a village with more than two hundred but fewer than two hundred fifty inhabitants as the county seat, or for any pupil residing in a village with more than one hundred forty but fewer than one hundred sixty inhabitants and located in any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty-three thousand inhabitants and with a city of the fourth classification with more than two thousand four hundred but fewer than two thousand seven hundred inhabitants as the county seat, the commissioner of education or his or her designee shall, upon proper application by the parent or guardian of the pupil, assign the pupil and any sibling of the pupil to another school district if the following conditions are met:

(1) The actual driving distance from the student's residence to the attendance center in the district of residence is seventeen miles or more by the shortest route available as determined by the commissioner or his or her designee;

(2) The attendance center to which the student would be assigned in the receiving district is at least seven miles closer in actual driving distance by the shortest route available to the student's residence than the current attendance center in the residence district as determined by the commissioner or his or her designee; and

(3) The attendance of the student will not cause the classroom in the receiving district to exceed the number of students per class as determined by the receiving district.

2. For pupils applying to the commissioner of education under this section, the commissioner, or his or her designee, shall assign pupils in the order in which applications are received, provided the applications are properly completed and the conditions of subsection 1 of this section are met. Once granted, the hardship assignment shall continue until the pupil, and any sibling of the pupil who attends the same attendance center, completes his or her course of study in the receiving district or the parent or guardian withdraws the pupil. If a parent or guardian withdraws a pupil from a hardship assignment, the granting of a subsequent application is discretionary. A pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in his or her district of residence during the school year prior to the application. Any pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in a district other than his or her district of residence and paid nonresident tuition for such enrollment during the school year prior to the application. Pupils who reside in the district who become eligible for kindergarten or first grade shall also be eligible to apply to the commissioner of education to be assigned to another district. A pupil who is not currently enrolled in a public school district shall become eligible to apply to the commissioner of education to be assigned to another district after the student has enrolled in and completed a full school year in a public school in his or her district of residence.

3. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition amount shall not exceed the pro rata cost of instruction."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

BILLS IN CONFERENCE

CCR#2 SS SCS SB 719, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6, relating to boating safety identification cards, was taken up by Representative Brown (116).

On motion of Representative Brown (116), **CCR#2 SS SCS SB 719, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6** was adopted by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McManus
McNary	Molendorp	Montecillo	Morgan	Nance
Neth	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 009

Carlson	Cookson	Ellinger	Jones 63	Kirkton
McCreery	McNeil	Newman	Schupp	

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 025

Brattin	Carter	Conway 14	Conway 27	Dieckhaus
Flanigan	Frederick	Funderburk	Gatschenberger	Higdon
Hughes	Largent	Lasater	Marshall	May
McDonald	McGhee	Meadows	Nasheed	Nolte
Pollock	Scharnhorst	Smith 71	Webb	Webber

On motion of Representative Brown (116), **CCS#2 SS SCS SB 719** was truly agreed to and finally passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McCaherty	McCann Beatty
McGeoghegan	McManus	McNary	Montecillo	Morgan
Nance	Neth	Nichols	Nolte	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

Mr Speaker

NOES: 010

Carlson	Ellinger	Hughes	Jones 63	Kirkton
McCreery	McNeil	Newman	Pace	Schupp

PRESENT: 001

Ellington

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ABSENT WITH LEAVE: 026

Berry	Brattin	Carter	Conway 14	Day
Dieckhaus	Flanigan	Frederick	Funderburk	Gatschenberger
Higdon	Loehner	May	McDonald	McGhee
Meadows	Molendorp	Nasheed	Pierson	Smith 71
Sommer	Stream	Swearingen	Taylor	Webb
Webber				

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 119

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hough	Houghton	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McManus	McNary	Meadows	Montecillo
Morgan	Nance	Neth	Nolte	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 019

Berry	Colona	Ellington	Hubbard	Hughes
Kirkton	McCann Beatty	McCreery	McGeoghegan	McNeil
Nasheed	Newman	Nichols	Pace	Schupp
Still	Swearingen	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 025

Brattin	Carlson	Carter	Conway 14	Day
Dieckhaus	Flanigan	Franz	Frederick	Funderburk
Gatschenberger	Higdon	Hoskins	Hummel	Jones 63
May	McDonald	McGhee	Molendorp	Pierson
Smith 71	Sommer	Talboy	Webb	Webber

Speaker Pro Tem Schoeller resumed the Chair.

CCR HCS SCS SB 569, as amended, relating to elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **CCR HCS SCS SB 569, as amended**, was adopted by the following vote:

AYES: 112

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Nichols	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 030

Aull	Colona	Ellington	Holsman	Hughes
Hummel	Jones 63	Kirkton	Lampe	Marshall
McCann Beatty	McCreery	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Rizzo	Schieber	Schupp	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 021

Brattin	Carlson	Carter	Cierpiot	Conway 14
Day	Diehl	Flanigan	Frederick	Funderburk
Gatschenberger	May	McCaherty	McDonald	Nolte
Parkinson	Scharnhorst	Smith 71	Webb	Webber
Mr Speaker				

On motion of Representative Dugger, **CCS HCS SCS SB 569** was truly agreed to and finally passed by the following vote:

AYES: 108

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Meadows	Nance	Neth
Nichols	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 031

Aull	Carlson	Colona	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kirkton	Lampe
Marshall	McCann Beatty	McCreery	McGeoghegan	McNeil
Montecillo	Morgan	Newman	Oxford	Pace
Pierson	Rizzo	Schieber	Schupp	Sifton
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Brown 50	Carter	Cierpiot	Davis
Day	Frederick	Funderburk	Gatschenberger	Hughes
May	McCaherty	McDonald	McManus	Molendorp
Nasheed	Nolte	Parkinson	Smith 71	Wallingford
Webb	Webber	Zerr	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

CCR HCS SCS SB 498, as amended, relating to charitable veterans' organizations, was taken up by Representative Shumake.

On motion of Representative Shumake, **CCR HCS SCS SB 498, as amended**, was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Brattin	Brown 50	Carter	Entlicher	Franklin
Frederick	Funderburk	Gatschenberger	Hughes	Lasater
Leara	May	McDonald	McManus	Molendorp
Nolte	Parkinson	Scharnhorst	Smith 71	Webb
Webber	Mr Speaker			

On motion of Representative Shumake, **CCS HCS SCS SB 498** was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 022

Anders	Brattin	Brown 50	Carter	Frederick
Funderburk	Gatschenberger	Hughes	Jones 117	Lasater
Leara	May	McDonald	McManus	Molendorp
Nolte	Parkinson	Scharnhorst	Smith 71	Webb
Webber	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 121

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Long	McCaherty	McCann Beatty	McGeoghegan	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 009

Anders	Carlson	Hughes	Kirkton	Marshall
McCreery	Newman	Schupp	Taylor	

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 032

Brattin	Brown 50	Carter	Colona	Cox
Dugger	Flanigan	Fraker	Frederick	Funderburk
Gatschenberger	Hubbard	Jones 117	Klippenstein	Largent
Lasater	Leara	Lichtenegger	Loehner	May
McDonald	McGhee	McManus	Meadows	Nolte
Parkinson	Pollock	Scharnhorst	Smith 71	Swinger
Webb	Webber			

CCR HCS SB 628, as amended, relating to judicial procedures, was taken up by Representative Kelly (24).

On motion of Representative Kelly (24), **CCR HCS SB 628, as amended**, was adopted by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Long
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brattin	Carter	Cross	Frederick	Funderburk
Gatschenberger	Haefner	Lasater	Leara	Loehner
May	McDonald	Schad	Smith 71	Webb
Webber				

On motion of Representative Kelly (24), **CCS HCS SB 628** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Bernskoetter	Brattin	Brown 50	Carter	Diehl
Ellington	Frederick	Funderburk	Gatschenberger	Hughes
Lasater	May	McDonald	McManus	Nolte
Schneider	Smith 71	Webb	Webber	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

CCR HCS SCS SB 635, as amended, relating to financial transactions, was taken up by Representative Phillips.

On motion of Representative Phillips, **CCR HCS SCS SB 635, as amended**, was adopted by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Holskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCreery	McGeoghegan	McGhee	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 002

Hughes	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 027

Brattin	Brown 50	Carter	Day	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Flanigan
Frederick	Funderburk	Gatschenberger	Higdon	Lasater
May	McCann Beatty	McDonald	McManus	McNary
Nasheed	Sater	Smith 71	Talboy	Webb
Webber	Mr Speaker			

On motion of Representative Phillips, **CCS HCS SCS SB 635** was truly agreed to and finally passed by the following vote:

AYES: 132

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 002

Hughes Marshall

PRESENT: 000

ABSENT WITH LEAVE: 029

Allen	Asbury	Brattin	Brown 50	Carlson
Carter	Day	Dieckhaus	Diehl	Dugger
Ellington	Flanigan	Frederick	Funderburk	Gatschenberger
Grisamore	Higdon	Hummel	Lasater	May
McDonald	Nasheed	Redmon	Scharnhorst	Smith 71
Swearingen	Webb	Webber	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McGhee
McNary	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Weter	Wieland	Wright	Wyatt
Zerr				

NOES: 011

Bahr	Colona	Ellington	Hughes	Kirkton
Marshall	McCreery	McNeil	Newman	Spreng
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brattin	Carter	Day	Dieckhaus
Diehl	Flanigan	Frederick	Funderburk	Gatschenberger
Higdon	Hummel	Kelley 126	Lasater	May
McDonald	McManus	Nolte	Rizzo	Scharnhorst
Smith 71	Webb	Webber	Wells	White
Mr Speaker				

CCR HCS SS SCS SB 470, as amended, relating to transportation, was taken up by Representative Burlison.

On motion of Representative Burlison, **CCR HCS SS SCS SB 470, as amended**, was adopted by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Neth	Nichols
Nolte	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 010

Kirkton	McCann Beatty	McCreery	McNeil	Morgan
Newman	Oxford	Schupp	Spreng	Still

PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Brown 116	Carter	Day	Ellinger
Ellington	Entlicher	Flanigan	Frederick	Funderburk
Gatschenberger	Higdon	Hubbard	Hughes	Lant
Lasater	May	McDonald	Nasheed	Parkinson
Smith 71	Webb	Webber	Mr Speaker	

On motion of Representative Burlison, **CCS HCS SS SCS SB 470** was truly agreed to and finally passed by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Neth	Nichols
Nolte	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 012

Hummel	Kirkton	McCann Beatty	McCreery	McNeil
Morgan	Newman	Oxford	Schupp	Spreng
Still	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 023

Brattin	Carter	Day	Diehl	Ellington
Entlicher	Flanigan	Frederick	Funderburk	Gatschenberger
Higdon	Houghton	Hughes	Lant	Lasater
May	McDonald	Nasheed	Parkinson	Smith 71
Webb	Webber	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

CCR SS SB 665, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6, relating to a conveyance of state property, was taken up by Representative Asbury.

On motion of Representative Asbury, **CCR SS SB 665, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6** was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 002

Hughes	Pollock
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PRESENT: 000

ABSENT WITH LEAVE: 022

Brattin	Carter	Cierpiot	Day	Flanigan
Frederick	Funderburk	Gatschenberger	Higdon	Hubbard
Lasater	May	McDonald	Molendorp	Neth
Parkinson	Smith 71	Spreng	Webb	Webber
Zerr	Mr Speaker			

On motion of Representative Asbury, **CCS SS SB 665** was truly agreed to and finally passed by the following vote:

AYES: 137

Anders	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 002

Hughes Pollock

PRESENT: 000

ABSENT WITH LEAVE: 024

Allen	Aull	Brattin	Carter	Day
Flanigan	Frederick	Funderburk	Gatschenberger	Higdon
Hubbard	Lasater	May	McDonald	Molendorp
Nasheed	Parkinson	Schneider	Smith 71	Spreng
Webb	Webber	Zerr	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wyatt
Zerr				

NOES: 005

Bahr	Kirkton	Marshall	McCreery	Newman
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PRESENT: 000

ABSENT WITH LEAVE: 027

Brattin	Carter	Cox	Day	Diehl
Fisher	Flanigan	Frederick	Funderburk	Gatschenberger
Higdon	Hubbard	Hughes	Kelly 24	Lasater
May	McDonald	Nasheed	Parkinson	Sater
Smith 71	Spreng	Swearingen	Webb	Webber
Wright	Mr Speaker			

Representative Schad assumed the Chair.

CCR HCS SCS SB 631, as amended, relating to agriculture, was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **CCR HCS SCS SB 631, as amended**, was adopted by the following vote:

AYES: 119

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Holsman	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McGeoghegan	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 018

Anders	Carlson	Ellinger	Ellington	Kirkton
Marshall	McCreery	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Schupp
Spreng	Still	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 026

Atkins	Brattin	Carter	Cross	Curtman
Davis	Day	Denison	Frederick	Funderburk
Higdon	Hodges	Hoskins	Hughes	Lasater
May	McDonald	McManus	Meadows	Molendorp
Nasheed	Scharnhorst	Smith 71	Webb	Webber
Mr Speaker				

On motion of Representative Reiboldt, **CCS HCS SCS SB 631** was truly agreed to and finally passed by the following vote:

AYES: 127

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Day	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGhee	McManus
McNary	Meadows	Nance	Neth	Nolte
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 019

Anders	Carlson	Ellinger	Ellington	Kirkton
Marshall	McCreery	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Schupp	Spreng	Still	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Carter	Cross	Denison	Frederick
Funderburk	Hughes	Lasater	Leara	May
McDonald	Molendorp	Nasheed	Scharnhorst	Smith 71
Webb	Webber			

Representative Schad declared the bill passed.

Representative Meadows assumed the Chair.

CCR SB 599, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, as amended, House Amendment No. 4, as amended, and House Amendment No. 5, relating to gifted education, was taken up by Representative Dieckhaus.

On motion of Representative Dieckhaus, **CCR SB 599, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, as amended, House Amendment No. 4, as amended, and House Amendment No. 5** was adopted by the following vote:

AYES: 148

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Spreng

PRESENT: 000

ABSENT WITH LEAVE: 014

Asbury	Brattin	Carter	Cross	Ellington
Frederick	Funderburk	Hughes	Lasater	May
McDonald	Smith 71	Webb	Webber	

On motion of Representative Dieckhaus, **CCS SB 599** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Carter	Cross	Ellington	Frederick
Funderburk	Hubbard	Hughes	Jones 117	Kelly 24
Lasater	May	McDonald	Redmon	Smith 71
Webb	Webber			

Representative Meadows declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swinger	Talboy	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 006

Anders	Marshall	Spreng	Swearingen	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carlson	Carter	Cross	Ellington
Frederick	Funderburk	Hubbard	Hughes	Lasater
May	McCreery	McDonald	Sater	Scharnhorst
Smith 71	Webb	Webber		

Speaker Tilley resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 636, as amended**, and has taken up and passed **CCS HCS SB 636**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 755, as amended**, and request the House to recede from its position on **HCS, as amended**, and take up and pass **SS SCS SB 755**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 and 847, as amended**, and requests the House to recede from its position on **HCS, as amended**, and take up and pass **SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 and 847**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conference on **HCS SS SB 854, as amended**, has been dissolved and the Senate requests that the House recede from its position on **HCS SS SB 854, as amended**, and take up and pass **SS SB 854**.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1789, as amended, relating to student travel hardships, was taken up by Representative Schad.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

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NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Carter	Conway 14	Frederick	Funderburk
Hubbard	Lasater	May	McDonald	Sater
Scharnhorst	Smith 71	Spreng	Webb	Webber

On motion of Representative Schad, **SCS HCS HB 1789, as amended**, was adopted by the following vote:

AYES: 083

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Elmer	Fisher	Flanigan
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Pollock	Reiboldt	Richardson
Riddle	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Sommer
Stream	Torpey	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 068

Anders	Asbury	Atkins	Aull	Black
Carlson	Casey	Colona	Conway 27	Cross
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fitzwater	Fraker	Hampton	Harris	Hodges
Holsman	Hughes	Hummel	Kander	Kirkton
Kratky	Lampe	Largent	Lauer	Marshall
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Rizzo	Rowland
Ruzicka	Schieber	Schieffer	Schupp	Shively

Sifton	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Wells	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Carter	Frederick	Funderburk	Hubbard
Lasater	May	McDonald	Sater	Smith 71
Webb	Webber			

On motion of Representative Schad, **SCS HCS HB 1789, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 083

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Fisher	Flanigan	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Pollock	Reiboldt	Richardson
Riddle	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Stream
Torpey	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 062

Anders	Asbury	Atkins	Aull	Black
Carlson	Casey	Colona	Conway 27	Cross
Ellington	Entlicher	Fallert	Fraker	Hampton
Harris	Hodges	Holsman	Hughes	Hummel
Kander	Kirkton	Kratky	Lampe	Largent
Marshall	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Rizzo
Rowland	Ruzicka	Schieber	Schieffer	Schupp
Shively	Sifton	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Wallingford
Walton Gray	Wells			

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Brown 50	Carter	Cookson	Dugger
Fitzwater	Frederick	Funderburk	Hubbard	Lasater
May	McDonald	Sater	Smith 71	Sommer
Thomson	Webb	Webber		

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

THIRD READING OF SENATE BILL

SS SB 464, relating to a health insurance exchange, was taken up by Representative Burlison.

Representative Jones (63) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 464, Page 2, Section 376.1186, Line 40, by inserting after “**Section 1321(c)(1)**” on said line the following:

“, **Section 1311(k), and Section 1311(d)**”; and

Further amend said bill and section, Page 3, Line 84, by inserting after “**Section 1321(c)(1)**” on said line the following:

“, **Section 1311(k), and Section 1311(d)**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Curtman
Davis	Denison	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schneider

Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Wieland	Wright	Wyatt	Zerr

NOES: 045

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Shupp	Shively	Sifton
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 033

Allen	Anders	Brattin	Carter	Conway 14
Cross	Day	Dieckhaus	Diehl	Flanigan
Frederick	Funderburk	Hinson	Hubbard	Hughes
Kander	Lasater	Loehner	May	McDonald
McGhee	Neth	Richardson	Sater	Schieber
Smith 71	Spreng	Swinger	Webb	Webber
Weter	White	Mr Speaker		

Representative Jones (63) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Jones (89) assumed the Chair.

Representative Schoeller moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka

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Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Spreng	Still	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Carter	Dieckhaus	Diehl	Frederick
Funderburk	Hubbard	Hughes	Kander	Lair
Lasater	May	McDonald	Sater	Schneider
Smith 71	Swearingen	Webb	Webber	Mr Speaker

On motion of Representative Burlison, **SS SB 464** was truly agreed to and finally passed by the following vote:

AYES: 108

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 038

Atkins	Aull	Carlson	Colona	Conway 27
Ellinger	Ellington	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Sifton	Spreng	Still
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Carter	Dieckhaus	Frederick	Funderburk
Grisamore	Hughes	Kander	Lair	Lasater
May	McDonald	Smith 71	Swearingen	Webb
Webber	Mr Speaker			

Representative Jones (89) declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1315**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1854**, entitled:

An act to repeal sections 209.150, 209.152, 209.200, 209.202, 288.034, 301.143, and 304.028, RSMo, and to enact in lieu thereof eight new sections relating to services provided to individuals with disabilities, with penalty provisions, an expiration date for a certain section and an emergency clause for a certain section.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 26, Section 288.034, Line 13, by inserting at the end of said line the following:

"However, in the event an employment relationship exists between the provider and any worker as determined under this chapter, the services performed by such worker shall be deemed to be employment if the provider is an organization described in Section 501(c)(3) of the Internal Revenue Code, any governmental entity, or a federally recognized Indian tribe."

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 32, Section 304.028, Line 19 of said page, by inserting after all of said line the following:

"660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197; or

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list. The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. (1) Any employer [who is] required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100.**

(2) **Notwithstanding subsections 3 and 5 of section 288.090, an employer shall not be charged for unemployment insurance benefits based on wages paid to the employee or an employer making payments in lieu of contributions for work prior to the date of discharge, pursuant to section 288.100, if the employer terminated the employee because the employee:**

(a) **Has been found guilty of, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;**

(b) **Was placed on the employee disqualification list under this section, after the date of hire;**

(c) **Was placed on the employee disqualification registry maintained by the department of mental health, after the date of hire;**

(d) **Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or**

(e) **Was denied a good cause waiver as provided for in subsection 10 of section 660.317.**

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

BILLS IN CONFERENCE

CCR HCS#2 SCS SB 480, as amended, relating to transportation, was taken up by Representative Burlison.

On motion of Representative Burlison, **CCR HCS#2 SCS SB 480, as amended**, was adopted by the following vote:

AYES: 104

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Keeney
Kelley 126	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	McCaherty	McGeoghegan
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Nichols	Nolte	Phillips	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Talboy
Taylor	Thomson	Wallingford	Wells	Weter
Wieland	Wright	Wyatt	Zerr	

NOES: 023

Atkins	Carlson	Colona	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kirkton	Marshall
McCann Beatty	McCreery	McManus	McNeil	Montecillo
Morgan	Newman	Pace	Schupp	Sifton
Spreng	Still	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 036

Brattin	Carter	Cauthorn	Conway 27	Curtman
Dieckhaus	Fisher	Frederick	Funderburk	Grisamore
Guernsey	Hughes	Jones 117	Kander	Kelly 24
Klippenstein	Lasater	Lichtenegger	May	McDonald
Nasheed	Oxford	Parkinson	Pierson	Pollock
Reiboldt	Sater	Smith 71	Stream	Swearingen
Swinger	Torpey	Webb	Webber	White
Mr Speaker				

On motion of Representative Burlison, **CCS HCS#2 SCS SB 480** was truly agreed to and finally passed by the following vote:

AYES: 112

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	McGeoghegan	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Talboy	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 024

Atkins	Colona	Ellinger	Ellington	Holsman
Hummel	Jones 63	Kirkton	Marshall	McCann Beatty
McCreery	McManus	McNeil	Montecillo	Morgan
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Spreng	Still	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 027

Brattin	Carlson	Carter	Dieckhaus	Fisher
Flanigan	Frederick	Funderburk	Grisamore	Guernsey
Hughes	Jones 117	Kander	Lasater	Lichtenegger
May	McCaherty	McDonald	Meadows	Sater
Smith 71	Swearingen	Swinger	Webb	Webber
Wyatt	Mr Speaker			

Representative Jones (89) declared the bill passed.

CCR HCS SS SB 749, as amended, relating to religious beliefs and convictions, was taken up by Representative Crawford.

Representative Fuhr moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 042

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
McCann Beatty	McCreery	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Sifton	Spreng	Still	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brattin	Brown 50	Carter	Dieckhaus
Dugger	Frederick	Funderburk	Grisamore	Hughes
Kander	Lampe	Lasater	Lichtenegger	May
McDonald	McManus	McNary	Redmon	Sater
Smith 71	Swearingen	Swinger	Webb	Webber
Mr Speaker				

On motion of Representative Crawford, **CCR HCS SS SB 749, as amended**, was adopted by the following vote:

AYES: 103

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	Meadows	Nance	Neth
Nolte	Parkinson	Phillips	Quinn	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 034

Anders	Atkins	Carlson	Colona	Ellinger
Ellington	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Lampe	McCann Beatty
McCreery	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brattin	Brown 50	Carter	Day
Dieckhaus	Frederick	Funderburk	Grisamore	Kander
Lair	Lasater	Lichtenegger	May	McDonald
McManus	McNary	Pollock	Redmon	Sater
Smith 71	Swearingen	Swinger	Webb	Webber
Mr Speaker				

On motion of Representative Crawford, **CCS HCS SS SB 749** was truly agreed to and finally passed by the following vote:

AYES: 105

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lauer	Leach	Leara	Loehner
Marshall	McCaherty	McGeoghegan	McGhee	Meadows
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr

NOES: 033

Anders	Atkins	Carlson	Colona	Ellinger
Ellington	Holsman	Hubbard	Hummel	Jones 63
Kelly 24	Kirkton	Lampe	McCann Beatty	McCreery
McNeil	Molendorp	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Spreng	Still
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 025

Brattin	Brown 50	Carter	Day	Dieckhaus
Frederick	Funderburk	Hughes	Kander	Lasater
Lichtenegger	Long	May	McDonald	McManus
McNary	Redmon	Sater	Smith 71	Swearingen
Swinger	Webb	Webber	Wright	Mr Speaker

Representative Jones (89) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McNary	Meadows	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 035

Anders	Atkins	Brown 50	Carlson	Colona
Ellinger	Ellington	Holsman	Hubbard	Hummel
Jones 63	Kelly 24	Kirkton	Lampe	McCann Beatty
McCreery	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carter	Frederick	Funderburk	Hughes
Kander	Lasater	Lichtenegger	May	McDonald
McManus	Redmon	Sater	Smith 71	Swinger
Webb	Webber	Mr Speaker		

Representative Silvey assumed the Chair.

CCR HCS SS SB 769, as amended, relating to state and local standards, was taken up by Representative Cierpiot.

On motion of Representative Cierpiot, **CCR HCS SS SB 769, as amended**, was adopted by the following vote:

AYES: 129

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Curtman	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	McCann Beatty	McCreery	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 002

Atkins	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Brown 116	Carter	Conway 14	Cross
Davis	Day	Entlicher	Frederick	Funderburk
Gosen	Grisamore	Higdon	Hughes	Kander
Keeney	Lasater	Lichtenegger	May	McCaherty
McDonald	McManus	Molendorp	Quinn	Sater
Scharnhorst	Schneider	Smith 71	Swinger	Webb
Webber	Mr Speaker			

On motion of Representative Cierpiot, **CCS HCS SS SB 769** was truly agreed to and finally passed by the following vote:

AYES: 124

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Curtman	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 89	Jones 117	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	McCann Beatty	McCreery
McGeoghegan	McGhee	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Solon	Sommer	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 002

Atkins Marshall

PRESENT: 000

ABSENT WITH LEAVE: 037

Brattin	Brown 116	Carter	Conway 14	Cross
Davis	Day	Diehl	Entlicher	Flanigan
Frederick	Funderburk	Grisamore	Higdon	Hubbard
Hughes	Jones 63	Kander	Keeney	Lasater
Lichtenegger	May	McCaherty	McDonald	McManus
McNary	Nasheed	Pierson	Sater	Scharnhorst
Smith 71	Smith 150	Swinger	Webb	Webber
Wyatt	Mr Speaker			

Representative Silvey declared the bill passed.

SS HB 1318, as amended, relating to mental health facility employees, was taken up by Representative Riddle.

Representative Riddle moved that the conference committee on **SS HB 1318, as amended**, be dissolved.

Which motion was adopted.

On motion of Representative Riddle, **SS HB 1318, as amended**, was adopted by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Curtman	Denison
Diehl	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCann Beatty	McCreery
McGeoghegan	McGhee	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 035

Brattin	Brown 116	Carter	Crawford	Cross
Davis	Day	Dieckhaus	Dugger	Entlicher
Frederick	Funderburk	Hughes	Jones 117	Kander
Keeney	Lasater	Lichtenegger	May	McCaherty
McDonald	McManus	Meadows	Nasheed	Parkinson
Redmon	Scharnhorst	Smith 71	Swearingen	Swinger
Talboy	Webb	Webber	Wieland	Mr Speaker

On motion of Representative Riddle, **SS HB 1318, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Curtman	Denison
Diehl	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCann Beatty	McCreery
McGeoghegan	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Brown 116	Carter	Crawford	Cross
Davis	Day	Dieckhaus	Dugger	Entlicher
Frederick	Funderburk	Grisamore	Jones 117	Kander
Keeney	Lasater	Lichtenegger	May	McCaherty
McDonald	McManus	Nasheed	Parkinson	Redmon
Smith 71	Swinger	Walton Gray	Webb	Webber
Wieland	Mr Speaker			

Representative Silvey declared the bill passed.

HCS#2 SCS SB 729, as amended, relating to political subdivisions, was taken up by Representative Kelly (24).

Representative Kelly (24), having voted on the prevailing side, moved that the vote by which the conference on **HCS#2 SCS SB 729, as amended**, was granted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Curtman	Davis
Day	Diehl	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCann Beatty	McCreery	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wyatt	Zerr

NOES: 002

Denison Gatschenberger

PRESENT: 000

ABSENT WITH LEAVE: 031

Brattin	Brown 116	Carter	Crawford	Cross
Dieckhaus	Dugger	Entlicher	Frederick	Funderburk
Guernsey	Hughes	Kander	Keeney	Lant
Lasater	Lichtenegger	May	McCaherty	McDonald
McManus	Reiboldt	Scharnhorst	Silvey	Smith 71
Swinger	Webb	Webber	Wieland	Wright
Mr Speaker				

Representative Kelly (24) withdrew the motion that the House refuse to recede from its position on **HCS#2 SCS SB 729, as amended**, and grant the Senate a conference.

Representative Kelly (24) moved that the House recede from its position on **HCS#2 SCS SB 729, as amended**.

Which motion was adopted.

On motion of Representative Kelly (24), **SCS SB 729** was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Curtman	Davis	Day	Diehl	Dugger
Ellinger	Ellington	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lauer	Leach	Leara	Loehner	Long
Marshall	McCann Beatty	McCreery	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Weter	White	Wyatt	Zerr

NOES: 002

Pollock Wells

PRESENT: 000

ABSENT WITH LEAVE: 036

Brattin	Brown 50	Brown 116	Carter	Colona
Conway 27	Crawford	Cross	Denison	Dieckhaus
Entlicher	Frederick	Funderburk	Gatschenberger	Hughes
Kander	Keeney	Lant	Lasater	Lichtenegger
May	McCaherty	McDonald	McManus	Molendorp
Reiboldt	Sater	Schatz	Schneider	Smith 71
Swinger	Webb	Webber	Wieland	Wright
Mr Speaker				

Representative Silvey declared the bill passed.

THIRD READING OF SENATE BILLS

SCS SB 835, relating to the regulation of fireworks, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **SCS SB 835** was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Cookson
Cox	Curtman	Davis	Diehl	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCann Beatty	McCreery	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 038

Berry	Brattin	Brown 116	Carter	Conway 27
Crawford	Cross	Day	Denison	Dieckhaus
Dugger	Frederick	Funderburk	Gatschenberger	Hughes
Kander	Klippenstein	Lasater	Lichtenegger	May
McCaherty	McDonald	McManus	Nolte	Phillips
Redmon	Reiboldt	Schatz	Schneider	Smith 71
Spreng	Swinger	Talboy	Webb	Webber
Wieland	Wright	Mr Speaker		

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Diehl	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Talboy	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Zerr	

NOES: 005

Ellinger	Marshall	Swearingen	Taylor	Walton Gray
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PRESENT: 000

ABSENT WITH LEAVE: 034

Bahr	Brattin	Brown 50	Brown 116	Carter
Conway 27	Cross	Day	Denison	Dieckhaus
Dugger	Frederick	Funderburk	Gatschenberger	Hodges
Hughes	Lasater	Lichtenegger	May	McCaherty
McDonald	Nolte	Redmon	Reiboldt	Scharnhorst
Schatz	Smith 71	Spreng	Swinger	Webb
Wieland	Wright	Wyatt	Mr Speaker	

SS SCS SBs 489 & 637, relating to weapons, was taken up by Representative Franz.

On motion of Representative Franz, **SS SCS SBs 489 & 637** was truly agreed to and finally passed by the following vote:

AYES: 115

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Diehl
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Long	Marshall	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wyatt	Zerr

NOES: 019

Anders	Atkins	Ellinger	Holsman	Jones 63
McCreery	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Spreng	Still	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 029

Asbury	Brattin	Carter	Conway 27	Cross
Denison	Dieckhaus	Dugger	Elmer	Frederick
Funderburk	Gatschenberger	Kelley 126	Kelly 24	Lasater
Lichtenegger	Loehner	May	McCaherty	McDonald
Reiboldt	Rowland	Schatz	Smith 71	Swinger
Webb	Wieland	Wright	Mr Speaker	

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Diehl	Dugger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Loehner	Marshall	McCaherty	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Talboy	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wyatt	Zerr

NOES: 026

Anders	Atkins	Carlson	Colona	Holsman
Hummel	Jones 63	Kirkton	McCann Beatty	McCreery
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Schupp
Sifton	Spreng	Still	Swearingen	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 027

Brattin	Carter	Denison	Dieckhaus	Ellinger
Elmer	Flanigan	Frederick	Funderburk	Gatschenberger
Grisamore	Hughes	Lant	Lasater	Lichtenegger
Long	May	McDonald	Parkinson	Reiboldt
Schatz	Smith 71	Swinger	Webb	Wieland
Wright	Mr Speaker			

Representative McGhee assumed the Chair.

HCS SB 557, relating to weapons, was taken up by Representative Franz.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 557, Page 1, In the Title, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the words, "relating to motor vehicles"; and

Further amend said bill, Page 7, Section 301.193, Line 68, by inserting after all of said line the following:

"301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.

Section 1. 1. The department of transportation shall designate 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Smith (150) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 557, Page 1, Section A, Line 2, by inserting after all of said line the following:

“37.853. 1. The office of administration shall maintain municipal government, including any city not within a county, accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of municipal government, including any city not within a county, financial information as a means of creating better public understanding of municipal government, including any city not within a county, practices and operations.

2. Individual municipal governmental, including any city not within a county, entities shall collect and transmit to the office of administration, by electronic mail or United States postal mail, the public information applicable to all municipal government, including any city not within a county, as provided in this section. Notwithstanding any other provision of law or rule to the contrary, municipal governmental, including any city not within a county, entities that provide the annual report required under section 105.145 to the office of administration are not required to provide a copy of the report to the state auditor.

3. Municipal governmental, including any city not within a county, entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145.

4. This section shall become effective December 31, 2012.

37.855. 1. The office of administration shall maintain public school accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of school district and charter school financial information as a means of creating better public understanding of public school practices and operations.

2. The department of elementary and secondary education shall annually collect and transmit to the office of administration the public information regarding school districts and public charter schools as provided in this section.

3. School districts and public charter schools shall annually provide the department of elementary and secondary education with detailed compensation information for all school employees, including all extra duty compensation and all employee benefits, and the district's annual operating budget and bonded indebtedness. The department shall provide all information required under this subsection to the office of administration by electronic mail or United States postal mail.

4. This section shall become effective June 30, 2013.

37.857. 1. The office of administration shall maintain county government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of county government financial information as a means of creating better public understanding of county government practices and operations.

2. Individual county governmental entities shall collect annually and transmit, by electronic mail or United States postal mail, to the office of administration the public information applicable to all county governments as provided in this section.

3. Specifically, the county government shall annually provide to the office of administration detailed compensation information for all elected county officials, including all extra duty compensation and all employee benefits, a copy of the detailed financial statement required under section 50.800, and any cash reserves. In addition to bonded debt, the county shall disclose any expenditures made pursuant to a real property lease, specifying the nature and duration of the lease. The office of administration may establish clear standards for budget format and detail, to ensure that all county government budgets contain all necessary information. Notwithstanding any other provision of law or rule to the contrary, any information reported annually to the office of administration under this section shall not be required to be reported to the state auditor.

4. This section shall become effective December 31, 2013.”; and

Further amend said bill and page, Section B, Line 2, by inserting immediately after the word “funds,” the following:

“the enactment of section 33.087 and the repeal and reenactment of section 37.850 of”; and

Further amend said bill, Page 3, Section B, Line 4, by inserting immediately after the words “constitution, and” the following:

“the enactment of section 33.087 and the repeal and reenactment of section 37.850 of”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 2** was adopted.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Parkinson
Phillips	Pollock	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wyatt	Zerr			

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 028

Brattin	Brown 116	Carter	Conway 14	Day
Denison	Dieckhaus	Elmer	Frederick	Funderburk
Gatschenberger	Kirkton	Lasater	Lichtenegger	May
McDonald	Neth	Newman	Nolte	Redmon
Schatz	Smith 71	Swinger	Webb	Webber
Wieland	Wright	Mr Speaker		

On motion of Representative Franz, **HCS SB 557, as amended**, was adopted.

On motion of Representative Franz, **HCS SB 557, as amended**, was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Marshall	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Talboy

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Carter	Conway 14	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Frederick
Funderburk	Gatschenberger	Gosen	Higdon	Hubbard
Hughes	Lasater	Lichtenegger	Long	May
McDonald	McNary	Neth	Nolte	Schatz
Smith 71	Spreng	Swinger	Webb	Wieland
Wright	Mr Speaker			

Representative McGhee declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1029**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1037**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1114**, entitled:

An act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to emergency service boards.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 1114, Page 1, Section Title, Line 3, by striking all of said line and inserting in lieu thereof the following: "county government."; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

"50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease

the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, 2015.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget pursuant to the terms of its charter."; and

Further amend said bill, Page 4, Section 190.335, Line 95, by inserting immediately after said line the following:

"Section B. Because of the immediate need of counties to balance their budgets, the repeal and reenactment of section 50.622 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 50.622 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 1402, as amended**, and has taken up and passed **CCS SS SCS HCS HB 1402**.

Emergency clause adopted.

BILL CARRYING REQUEST MESSAGE

SB 893, with House Amendment No. 1, relating to reinstating driving privileges, was taken up by Representative Richardson.

Representative Richardson moved that the House refuse to recede from its position on **House Amendment No. 1** to **SB 893** and request the Senate to concur in **House Amendment No. 1** and take up and pass **SB 893, as amended**.

Which motion was adopted.

THIRD READING OF SENATE BILL

SCS SB 788, relating to the appointment of circuit clerks, was taken up by Representative Diehl.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 788, Page 1, In the Title, Line 3, by deleting from said line the phrase “appointment of circuit clerks” and inserting in lieu thereof the phrase “judiciary”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child [is located at the time of] **has resided for at least ninety days prior to** the filing of the adoption petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dugger	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland

Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wright
Wyatt				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 028

Brattin	Carter	Colona	Day	Denison
Dieckhaus	Elmer	Frederick	Funderburk	Gatschenberger
Higdon	Hughes	Lant	Lasater	Lichtenegger
May	McDonald	McNary	Nance	Neth
Nolte	Schatz	Smith 71	Swinger	Webb
Wieland	Zerr	Mr Speaker		

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Wright moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dugger	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt

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NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 028

Brattin	Carter	Day	Denison	Dieckhaus
Elmer	Frederick	Funderburk	Gatschenberger	Higdon
Hughes	Lant	Lasater	Lichtenegger	May
McDonald	McNary	Nance	Nolte	Scharnhorst
Schatz	Smith 71	Swinger	Thomson	Webb
Wieland	Zerr	Mr Speaker		

On motion of Representative Diehl, **SCS SB 788, as amended**, was read the third time and passed by the following vote:

AYES: 082

Allen	Asbury	Barnes	Berry	Black
Brandom	Brown 50	Brown 85	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Crawford	Cross
Davis	Day	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Fuhr	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Lair
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	McCaherty	McGhee	Molendorp
Nasheed	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Torpey	Wallingford	Weter
Wright	Zerr			

NOES: 061

Anders	Atkins	Aull	Bahr	Bernskoetter
Burlison	Carlson	Casey	Conway 27	Cox
Curtman	Denison	Ellinger	Ellington	Fallert
Franz	Guernsey	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kirkton	Koenig
Korman	Kratky	Lampe	Marshall	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Neth	Newman	Nichols

Oxford	Pace	Pierson	Quinn	Rizzo
Schad	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swearingen	Talboy	Taylor
Thomson	Walton Gray	Webber	Wells	White
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Brown 116	Carter	Dieckhaus	Frederick
Funderburk	Gatschenberger	Hughes	Lasater	Lichtenegger
May	McDonald	McNary	Nance	Schatz
Smith 71	Swinger	Webb	Wieland	Mr Speaker

Representative McGhee declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1900**, entitled:

An act to repeal sections 3.060, 3.070, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 37.005, 37.010, 37.020, 37.110, 160.545, 161.418, 161.424, 181.110, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.935, 196.1103, 209.251, 210.1014, 217.575, 251.100, 251.240, 253.320, 261.010, 301.020, 302.171, 311.650, 311.730, 313.210, 320.260, 334.125, 361.010, 595.036, 595.037, 595.060, 610.029, 610.120, 620.1100, and 620.1580, RSMo, and to enact in lieu thereof sixty-nine new sections for the sole purpose of restructuring statutes based on executive branch reorganizations.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1900, Pages 33-34, Section 210.1014, by striking all of said section from the bill; and

Further amend said bill, Pages 39-40, Section 301.4040, by striking all of said section from the bill; and

Further amend said bill, Page 43, Section 311.730, by striking all of said section from the bill; and

Further amend said bill, Pages 43-44, Section 311.735, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1900, Page 20, Section 37.110, Line 5, by inserting immediately after said line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a

situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and the Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust

such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. 1. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed.

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective.

Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation

of the land owned by them pursuant to the procedures in section 71.012 or 71.014. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1900, Page 10, Section 34.031, Line 76, by inserting after all of said line the following:

- "34.225. 1. This section shall be known and may be cited as the "Iran Energy Divestment Act".
2. As used in this section, the following terms shall mean:
- (1) "Awarding body", a department, board, agency, authority, or officer, agent, or other authorized representative of the public entity awarding a contract for goods or services;
 - (2) "Energy sector", activities to develop petroleum or natural gas resources or nuclear power;
 - (3) "Financial institution", the term as used in Section 14(5) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note);
 - (4) "Iran", any agency or instrumentality of Iran;
 - (5) "Person", any of the following:
 - (a) A natural person, corporation, company, limited liability company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;
 - (b) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3));
 - (c) Any successor, subunit, parent company, or subsidiary of, or company under common ownership or control with, any entity described in paragraph (a) or (b) of this subsection;
 - (6) "Proscribed investor", a person that directly engages in investment activities in the energy sector in Iran. A person engages directly in investment activities in the energy sector in Iran if any of the following is true:
 - (a) The person directly invests twenty million dollars or more in the energy sector in Iran;
 - (b) The person provides oil or liquified natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquified natural gas, for the energy sector in Iran;
 - (c) The person is a financial institution that directly provides a commercial loan of twenty million dollars or more to another person, for forty-five days or more, if such financial institution had actual knowledge that such person would use the proceeds from the commercial loan to invest in the energy sector in Iran;
 - (7) "Public entity", the state or any officer, official, authority, board, or commission of the state and any county, city, or other political subdivision of the state, or any institution supported in whole or in part by public funds.
3. A proscribed investor is ineligible to, and shall not, bid on, submit a proposal for, or enter into, a contract with a public entity for goods or services in excess of one million dollars.
4. A public entity shall require a person that submits a bid or proposal to, or otherwise proposes to enter into a contract with, a public entity with respect to a contract for goods or services in excess of one million dollars, that currently has business activities or other operations outside of the United States, to certify that the person is not a proscribed investor. A person may rely on one or more lists of persons engaging in investment activities in the energy sector in Iran developed by other states acting under the authority of the Federal Comprehensive Iran Sanctions Accountability and Divestment Act of 2010 when certifying that it is not a proscribed investor.
5. (1) The awarding body shall report to the attorney general the name of the person that the awarding body determines has submitted a false certification together with its information as to the false certification. The

attorney general has the sole authority to determine whether to bring a civil action against the person to collect the penalty described in paragraph (a) of subdivision (2) of this subsection. No private right of action is created by this section. If it is determined in the action that the person submitted a false certification, the person shall pay all costs and fees the plaintiff incurred in a civil action, including costs incurred by the awarding body for investigations that led to the finding of the false certification and all costs and fees incurred by the attorney general.

(2) If the attorney general determines that a person has submitted a false certification under subsection 4 of this section, the person shall be subject to the following:

- (a) A civil penalty of two hundred fifty thousand dollars;
- (b) Termination, without penalty, of an existing contract with the awarding body;
- (c) Ineligibility to bid on, or enter into, a contract with a public entity for a period of three years from the date of the determination that the person submitted the false certification.

6. (1) If the awarding body determines that a person that has an existing contract with the awarding body, has submitted a pending bid or contract proposal to, or otherwise proposes to enter into a contract with the awarding body by using credible information available to the public and determines that the person is a proscribed investor, the awarding body shall provide ninety days written notice of its intent to not enter into or renew a contract for goods or services with the person. The notice shall specify that the person may become eligible for a future contract for goods or services with the awarding body if it ceases its direct engagement in investment activities in the energy sector in Iran.

(2) The awarding body shall provide a person determined to be a proscribed investor with an opportunity to demonstrate in writing to the awarding body that it is not engaged in investment activities in the energy sector in Iran. If the awarding body determines that the person is not engaged in investment activities in the energy sector in Iran, the person shall be eligible to enter into or renew a contract for goods or services with the awarding body."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1900, Page 23, Section 161.424, Line 14, by inserting after all of said line the following:

"161.870. 1. By September 1, 2012, the department of elementary and secondary education shall establish a work group to assess the available resources needed for effective work experiences for students and young adults with disabilities. The work group shall review all interagency coordination of services that match young adults who have disabilities with employers who need employees to ensure that these services are adequately meeting the following needs of students and young adults with disabilities who seek employment and need assistance with job placement:

- (1) Recruitment;
- (2) Assessment;
- (3) Counseling;
- (4) Pre-employment skills training;
- (5) Vocational training;
- (6) Student wages for try-out employment;
- (7) Placement in unsubsidized employment; and
- (8) Other assistance with transition to a quality adult life.

2. The goal of the work group shall be to evaluate the current efforts and available resources and to promote the involvement of key stakeholders including students, families, educators, employers and other agencies in planning and implementing an array of services that will culminate in successful student transition to employment, lifelong learning, and quality of life. The work group shall focus on secondary students and young adults with disabilities.

3. The work group shall:

- (1) Assess the strengths and need for improvement in services for transition services, instruction, and experiences that reinforce core curriculum concepts and skills leading to gainful employment for students and young adults with disabilities;

(2) Determine if any additional state partnerships provided through nonfinancial interagency agreements between the department of health and senior services, the department of economic development, the department of mental health, or the department of social services, or in the private sector, are needed to enhance the employment potential of students and young adults with disabilities;

(3) Focus its efforts in developing careers for students and young adults with disabilities, in order to prevent economic and social dependency on state and community agencies and resources; and

(4) Report its findings to the director.

4. The department of elementary and secondary education shall make recommendations based on the findings of the work group and report them to the general assembly prior to January 1, 2013.

5. The work group shall be administered and its members chosen by the commissioner of education. Work group members shall include existing personnel and human resources available to the department of elementary and secondary education including but not limited to representatives from state agencies, local advocacy groups and community members with valuable input regarding the needs of disabled students and individuals, or members of the general assembly.

6. The department of elementary and secondary education may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill, Page 32, Section 209.015, Line 26, by inserting after all of said line the following:

"209.150. 1. Every person with a visual, aural or [physical] **other** disability, **as defined in section 213.010**, shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or [physical] **other** disability, **as defined in section 213.010**, is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or [physical] **other** disability, **as defined in section 213.010**, shall have the right to be accompanied by a guide dog, hearing dog, or service dog, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

4. As used in sections 209.150 to 209.190, the term "service dog" means any dog specifically trained to assist a person with a physical **or mental** disability by performing necessary [physical] tasks **or doing work** which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, [and] carrying supplies, **and search and rescue of an individual with a disability**.

209.152. Any trainer, from a recognized training center, of a guide dog, hearing assistance dog or service dog, **or any member of a service dog team, as defined in section 209.200**, shall have the right to be accompanied by such dog in or upon any of the premises listed in section 209.150 while engaged in the training of the dog without being required to pay an extra charge for such dog. Such trainer **or service dog team member** shall be liable for any damage done to the premise of facilities by such dog.

209.200. As used in sections 209.200 to 209.204, the following terms shall mean:

(1) "Disability", as defined in section 213.010;

(2) "Service dog", a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes **but is not limited to**:

(a) "Guide dog", a dog that is being or has been specially trained to assist a particular blind or visually impaired person;

(b) "Hearing dog", a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;

(c) "Medical alert or [respond] **response** dog", a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;

(d) "Mobility dog", a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments;

(e) "**Professional therapy dog**", a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy;

(f) "**Search and rescue dog**", a dog that is being or has been trained to search for or prevent a person with a mental disability, including but not limited to verbal and nonverbal autism, from becoming lost;

(3) "**Service team dog**", a team consisting of a trained service dog, a disabled person or child, and a person who is an adult and who has been trained to handle the service dog.

209.202. 1. Any person who [knowingly, intentionally, or recklessly causes substantial physical injury to or the death of a service dog], **with reckless disregard, injures or kills or permits a dog that he or she owns or is in the immediate control of to injure or kill a service animal** is guilty of a class A misdemeanor. [The provisions of this subsection shall not apply to the destruction of a service dog for humane purposes.]

2. Any person who [knowingly or intentionally fails to exercise sufficient control over an animal such person owns, keeps, harbors, or exercises control over to prevent the animal from causing the substantial physical injury to or death of a service dog, or the subsequent inability to function as a service dog as a result of the animal's attacking, chasing, or harassing the service dog], **with reckless disregard, interferes with or permits a dog that he or she owns or is in the immediate control of to interfere with the use of a service animal by obstructing, intimidating, or otherwise jeopardizing the safety of the service animal or its user is guilty of a class B misdemeanor. Any second or subsequent violation of this section is guilty of a class A misdemeanor.**

3. Any person who [harasses or chases a dog known to such person to be a service dog is guilty of a class B misdemeanor.

4. Any person who owns, keeps, harbors, or exercises control over an animal and who knowingly or intentionally fails to exercise sufficient control over the animal to prevent such animal from chasing or harassing a service dog while such dog is carrying out the dog's function as a service dog, to the extent that the animal temporarily interferes with the service dog's ability to carry out the dog's function is guilty of a class B misdemeanor] **intentionally injures or kills or permits a dog that he or she owns or is in the immediate control of to injure or kill a service animal is guilty of a class D felony.**

5. [An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against any person who:

- (1) Violates the provisions of subsection 1 or 2 of this section; or
- (2) Steals a service dog resulting in the loss of the services of the service dog.

6. Any civil damages awarded under subsection 5 of this section shall be based on the following:

(1) The replacement value of an equally trained service dog, without any differentiation for the age or experience of the service dog;

(2) The cost and expenses incurred by the owner of a service dog or the person with a disability who used the service dog, including:

- (a) The cost of temporary replacement services, whether provided by another service dog or by a person;
- (b) The reasonable costs incurred in efforts to recover a stolen service dog; and
- (c) Court costs and attorney's fees incurred in bringing a civil action under subsection 5 of this section.

7. An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against a person who:

(1) Violates the provisions of subsections 1 to 4 of this section resulting in injury from which the service dog recovers to an extent that the dog is able to function as a service dog for the person with a disability; or

(2) Steals a service dog and the service dog is recovered resulting in the service dog being able to function as a service dog for the person with a disability.

8. Any civil damages awarded under subsection 7 of this section shall be based on the following:

- (1) Veterinary medical expenses;

- (2) Retraining expenses;
- (3) The cost of temporary replacement services, whether provided by another service dog or by a person;
- (4) Reasonable costs incurred in the recovery of the service dog; and
- (5) Court costs and attorney's fees incurred in bringing the civil action under subsection 7 of this section.] (1)

In addition to any other penalty, a person who is convicted of a violation of this section shall make full restitution for all damages that arise out of or are related to the offense, including but not limited to incidental and consequential damages incurred by the service animal's user.

(2) Restitution includes, but is not limited to:

- (a) The value of the animal;**
- (b) Replacement and training or retraining expenses for the service animal and the user;**
- (c) Veterinary and other medical and boarding expenses for the service animal;**
- (d) Medical expenses for the user; and**
- (e) Lost wages or income incurred by the user during any period that the user is without the services of the service animal.**

[9.] 6. The provisions of this section shall not apply:

(1) If a person with a disability, an owner, or a person having custody or supervision of a service dog commits criminal or civil trespass; or

(2) To the destruction of a service dog for humane purposes.

[10.] 7. Nothing in this section shall be construed to preclude any other remedies available at law."; and

Further amend said bill, Page 36, Section 261.010, Line 6, by inserting after all of said line the following:

"288.034. 1. "Employment" means service, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, express or implied, and notwithstanding any other provisions of this section, service with respect to which a tax is required to be paid under any federal unemployment tax law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund or which, as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act, is required to be covered under this law.

2. The term "employment" shall include an individual's entire service, performed within or both within and without this state if:

(1) The service is localized in this state; or

(2) The service is not localized in any state but some of the service is performed in this state and the base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this state; or the base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed but the individual's residence is in this state.

3. Service performed by an individual for wages shall be deemed to be employment subject to this law:

(1) If covered by an election filed and approved pursuant to subdivision (2) of subsection 3 of section 288.080;

(2) If covered by an arrangement pursuant to section 288.340 between the division and the agency charged with the administration of any other state or federal unemployment insurance law, pursuant to which all services performed by an individual for an employing unit are deemed to be performed entirely within this state.

4. Service shall be deemed to be localized within a state if the service is performed entirely within such state; or the service is performed both within and without such state, but the service performed without such state is incidental to the individual's service within the state; for example, is temporary or transitory in nature or consists of isolated transactions.

5. Service performed by an individual for remuneration shall be deemed to be employment subject to this law unless it is shown to the satisfaction of the division that such services were performed by an independent contractor. In determining the existence of the independent contractor relationship, the common law of agency right to control shall be applied. The common law of agency right to control test shall include but not be limited to: if the alleged employer retains the right to control the manner and means by which the results are to be accomplished, the individual who performs the service is an employee. If only the results are controlled, the individual performing the service is an independent contractor.

6. The term "employment" shall include service performed for wages as an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages (other than milk), or laundry or dry-cleaning services, for his or her principal; or as a traveling or city salesman, other than as an agent-driver or commission-driver, engaged upon a full-time basis in the solicitation on behalf of, and the transmission to, his or her principal (except for sideline sales activities on behalf of some other person) of orders from wholesalers,

retailers, contractors, or operators of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations, provided:

(1) The contract of service contemplates that substantially all of the services are to be performed personally by such individual; and

(2) The individual does not have a substantial investment in facilities used in connection with the performance of the services (other than in facilities for transportation); and

(3) The services are not in the nature of a single transaction that is not part of a continuing relationship with the person for whom the services are performed.

7. Service performed by an individual in the employ of this state or any political subdivision thereof or any instrumentality of any one or more of the foregoing which is wholly owned by this state and one or more other states or political subdivisions, or any service performed in the employ of any instrumentality of this state or of any political subdivision thereof, and one or more other states or political subdivisions, provided that such service is excluded from employment as defined in the Federal Unemployment Tax Act by Section 3306(c)(7) of that act and is not excluded from employment pursuant to subsection 9 of this section, shall be employment subject to this law.

8. Service performed by an individual in the employ of a corporation or any community chest, fund, or foundation organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, or other organization described in Section 501(c)(3) of the Internal Revenue Code which is exempt from income tax under Section 501(a) of that code if the organization had four or more individuals in employment for some portion of a day in each of twenty different weeks whether or not such weeks were consecutive within a calendar year regardless of whether they were employed at the same moment of time shall be employment subject to this law.

9. For the purposes of subsections 7 and 8 of this section, the term "employment" does not apply to service performed:

(1) In the employ of a church or convention or association of churches, or an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(2) By a duly ordained, commissioned, or licensed minister of a church in the exercise of such minister's ministry or by a member of a religious order in the exercise of duties required by such order; or

(3) In the employ of a governmental entity referred to in subdivision (3) of subsection 1 of section 288.032 if such service is performed by an individual in the exercise of duties:

(a) As an elected official;

(b) As a member of a legislative body, or a member of the judiciary, of a state or political subdivision;

(c) As a member of the state national guard or air national guard;

(d) As an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood or similar emergency;

(e) In a position which, under or pursuant to the laws of this state, is designated as (i) a major nontenured policy-making or advisory position, or (ii) a policy-making or advisory position the performance of the duties of which ordinarily does not require more than eight hours per week; or

(4) In a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market, by an individual receiving such rehabilitation or remunerative work; or

(5) As part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work relief or work training; or

(6) By an inmate of a custodial or penal institution; or

(7) In the employ of a school, college, or university, if such service is performed (I) by a student who is enrolled and is regularly attending classes at such school, college, or university, or (ii) by the spouse of such a student, if such spouse is advised, at the time such spouse commences to perform such service, that (I) the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university, and (II) such employment will not be covered by any program of unemployment insurance.

10. The term "employment" shall include the service of an individual who is a citizen of the United States, performed outside the United States (except in Canada), if:

(1) The employer's principal place of business in the United States is located in this state; or

(2) The employer has no place of business in the United States, but:

- (a) The employer is an individual who is a resident of this state; or
- (b) The employer is a corporation which is organized under the laws of this state; or
- (c) The employer is a partnership or a trust and the number of the partners or trustees who are residents of this state is greater than the number who are residents of any one other state; or
- (3) None of the criteria of subdivisions (1) and (2) of this subsection is met but the employer has elected coverage in this state or, the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on such service, under the law of this state;
- (4) As used in this subsection and in subsection 11 of this section, the term "United States" includes the states, the District of Columbia and the Commonwealth of Puerto Rico.
- 11. An "American employer", for the purposes of subsection 10 of this section, means a person who is:
 - (1) An individual who is a resident of the United States; or
 - (2) A partnership, if two-thirds or more of the partners are residents of the United States; or
 - (3) A trust, if all of the trustees are residents of the United States; or
 - (4) A corporation organized under the laws of the United States or of any state.
- 12. The term "employment" shall not include:
 - (1) Service performed by an individual in agricultural labor;
 - (a) For the purposes of this subdivision, the term "agricultural labor" means remunerated service performed:
 - a. On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife;
 - b. In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm;
 - c. In connection with the production or harvesting of any commodity defined as an agricultural commodity in Section 15(g) of the Federal Agricultural Marketing Act, as amended (46 Stat. 1550, Sec. 3; 12 U.S.C. 1441j), or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, used exclusively for supplying and storing water for farming purposes;
 - d. (i) In the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if such operator produced more than one-half of the commodity with respect to which such service is performed;
 - (ii) In the employ of a group of operators of farms (or a cooperative organization of which such operators are members) in the performance of services described in item (I) of this subparagraph, but only if such operators produced more than one-half of the commodity with respect to which such service is performed;
 - (iii) The provisions of items (I) and (ii) of this subparagraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption; or
 - e. On a farm operated for profit if such service is not in the course of the employer's trade or business. As used in this paragraph, the term "farm" includes stock, dairy, poultry, fruit, furbearing animals, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures, used primarily for the raising of agricultural or horticultural commodities, and orchards;
 - (b) The term "employment" shall include service performed after December 31, 1977, by an individual in agricultural labor as defined in paragraph (a) of this subdivision when such service is performed for a person who, during any calendar quarter, paid remuneration in cash of twenty thousand dollars or more to individuals employed in agricultural labor or for some portion of a day in a calendar year in each of twenty different calendar weeks, whether or not such weeks were consecutive, employed in agricultural labor ten or more individuals, regardless of whether they were employed at the same moment of time;
 - (c) For the purposes of this subsection any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person shall be considered as employed by such crew leader:
 - a. If such crew leader holds a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963; or substantially all the members of such crew operate or maintain tractors, mechanized harvesting or crop-dusting equipment, or any other mechanized equipment, which is provided by such crew leader; and
 - b. If such individual is not in employment by such other person;
 - c. If any individual is furnished by a crew leader to perform service in agricultural labor for any other person and that individual is not in the employment of the crew leader:

- (i) Such other person and not the crew leader shall be treated as the employer of such individual; and
- (ii) Such other person shall be treated as having paid cash remuneration to such individual in an amount equal to the amount of cash remuneration paid to such individual by the crew leader (either on his or her own behalf or on behalf of such other person) for the service in agricultural labor performed for such other person;
- d. For the purposes of this subsection, the term "crew leader" means an individual who:
 - (i) Furnishes individuals to perform service in agricultural labor for any other person;
 - (ii) Pays (either on his or her own behalf or on behalf of such other person) the individuals so furnished by him or her for the service in agricultural labor performed by them; and
 - (iii) Has not entered into a written agreement with such other person under which such individual is designated as in employment by such other person;
- (2) Domestic service in a private home except as provided in subsection 13 of this section;
- (3) Service performed by an individual under the age of eighteen years in the delivery or distribution of newspapers or shopping news but shall not include delivery or distribution to any point for subsequent delivery or distribution;
- (4) Service performed by an individual in, and at the time of, the sale of newspapers or magazines to ultimate consumers under an arrangement under which the newspapers or magazines are to be sold by him or her at a fixed price, his or her compensation being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him or her, whether or not he or she is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back;
- (5) Service performed by an individual in the employ of his or her son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his or her father or mother;
- (6) Except as otherwise provided in this law, service performed in the employ of a corporation, community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;
- (7) Services with respect to which unemployment insurance is payable under an unemployment insurance system established by an act of Congress;
- (8) Service performed in the employ of a foreign government;
- (9) Service performed in the employ of an instrumentality wholly owned by a foreign government:
 - (a) If the service is of a character similar to that performed in foreign countries by employees of the United States government or of an instrumentality thereof; and
 - (b) If the division finds that the foreign government, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States government and of instrumentalities thereof. The certification of the United States Secretary of State to the United States Secretary of Treasury shall constitute prima facie evidence of such equivalent exemption;
- (10) Service covered by an arrangement between the division and the agency charged with the administration of any other state or federal unemployment insurance law pursuant to which all services performed by an individual for an employing unit during the period covered by the employing unit's approved election are deemed to be performed entirely within the jurisdiction of such other state or federal agency;
- (11) Service performed in any calendar quarter in the employ of a school, college or university not otherwise excluded, if such service is performed by a student who is enrolled and regularly attending classes at such school, college, or university, and the remuneration for such service does not exceed fifty dollars (exclusive of board, room, and tuition);
- (12) Service performed by an individual for a person as a licensed insurance agent, a licensed insurance broker, or an insurance solicitor, if all such service performed by such individual for such person is performed for remuneration solely by way of commissions;
- (13) Domestic service performed in the employ of a local college club or of a local chapter of a college fraternity or sorority, except as provided in subsection 13 of this section;
- (14) Services performed after March 31, 1982, in programs authorized and funded by the Comprehensive Employment and Training Act by participants of such programs, except those programs with respect to which unemployment insurance coverage is required by the Comprehensive Employment and Training Act or regulations issued pursuant thereto;
- (15) Service performed by an individual who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such

program, and such institution has so certified to the employer; except, that this subdivision shall not apply to service performed in a program established for or on behalf of an employer or group of employers;

(16) Services performed by a licensed real estate salesperson or licensed real estate broker if substantially all of the remuneration, whether or not paid in cash, for the services performed, rather than to the number of hours worked, is directly related to sales or other output, including the performance of services, performed pursuant to a written contract between such individual and the person for whom the services are performed and such contract provides that the individual will not be treated as an employee with respect to such services for federal tax purposes;

(17) Services performed as a direct seller who is engaged in the trade or business of the delivering or distribution of newspapers or shopping news, including any services directly related to such trade or business, or services performed as a direct seller who is engaged in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in, or affiliated with, a permanent, fixed retail establishment, if eighty percent or more of the remuneration, whether or not paid in cash, for the services performed rather than the number of hours worked is directly related to sales performed pursuant to a written contract between such direct seller and the person for whom the services are performed, and such contract provides that the individual will not be treated as an employee with respect to such services for federal tax purposes;

(18) Services performed as a volunteer research subject who is paid on a per-study basis for scientific, medical or drug-related testing for any organization other than one described in Section 501(c)(3) of the Internal Revenue Code or any governmental entity.

13. The term "employment" shall include domestic service as defined in subdivisions (2) and (13) of subsection 12 of this section performed after December 31, 1977, if the employing unit for which such service is performed paid cash wages of one thousand dollars or more for such services in any calendar quarter after December 31, 1977.

14. The term "employment" shall include or exclude the entire service of an individual for an employing unit during a pay period in which such individual's services are not all excluded under the foregoing provisions, on the following basis: if the services performed during one-half or more of any pay period constitute employment as otherwise defined in this law, all the services performed during such period shall be deemed to be employment; but if the services performed during more than one-half of any such pay period do not constitute employment as otherwise defined in this law, then none of the services for such period shall be deemed to be employment. (As used in this subsection, the term "pay period" means a period of not more than thirty-one consecutive days for which a payment of remuneration is ordinarily made to the individual by the employing unit employing such individual.) This subsection shall not be applicable with respect to service performed in a pay period where any such service is excluded pursuant to subdivision (8) of subsection 12 of this section.

15. The term "employment" shall not include the services of a full-time student who performed such services in the employ of an organized summer camp for less than thirteen calendar weeks in such calendar year.

16. For the purpose of subsection 15 of this section, an individual shall be treated as a full-time student for any period:

- (1) During which the individual is enrolled as a full-time student at an educational institution; or
- (2) Which is between academic years or terms if:
 - (a) The individual was enrolled as a full-time student at an educational institution for the immediately preceding academic year or term; and
 - (b) There is a reasonable assurance that the individual will be so enrolled for the immediately succeeding academic year or term after the period described in paragraph (a) of this subdivision.

17. For the purpose of subsection 15 of this section, an "organized summer camp" shall mean a summer camp which:

- (1) Did not operate for more than seven months in the calendar year and did not operate for more than seven months in the preceding calendar year; or
- (2) Had average gross receipts for any six months in the preceding calendar year which were not more than thirty-three and one-third percent of its average gross receipts for the other six months in the preceding calendar year.

18. The term "employment" shall not mean service performed by a remodeling salesperson acting as an independent contractor; however, if the federal Internal Revenue Service determines that a contractual relationship between a direct provider and an individual acting as an independent contractor pursuant to the provisions of this subsection is in fact an employer-employee relationship for the purposes of federal law, then that relationship shall be considered as an employer-employee relationship for the purposes of this chapter.

19. The term "employment" shall not mean in-home or community-based services performed by a provider contracted to provide such services for the clients of a county board for developmental disability services organized and existing under sections 205.968 to 205.973, provided however, that the vendor shall perform the payroll and fringe benefits accounting functions for the consumer. However, in the event an employment

relationship exists between the provider and any worker as determined under this chapter, the services performed by such worker shall be deemed to be employment if the provider is an organization described in Section 501(c)(3) of the Internal Revenue Code, any governmental entity, or a federally recognized Indian tribe."; and

Further amend said bill, Page 39, Section 301.020, Line 87, by inserting after all of said line the following:

"301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard**. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "\$50 to \$300 fine." [Beginning August 28, 2011, When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one in every four accessible spaces, but not less than one, shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto.] **When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot with twenty-five or more parking spaces, the parking lot and accessible signs shall meet the minimum requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto, for the number of required accessible parking spaces, which shall not be less than one, and shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "van accessible". If any accessible space is one hundred thirty-two inches wide or wider, then the adjacent access aisle shall be a minimum of sixty inches wide. If any accessible space is less than one hundred thirty-two inches wide, then the adjacent access aisle shall be a minimum of ninety-six inches wide.**

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public off-street parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard**.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or [card] **placard** on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or [card] **placard** issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed the international symbol of accessibility and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard**. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a [card] **placard** is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for the exclusive use of vehicles displaying a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection and any such space shall have clearly and visibly painted upon it the international symbol of accessibility [and any curb adjacent to the space shall be clearly and visibly painted blue].

6. Any person who, without authorization, uses a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of a class B misdemeanor.

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or [card] **placard** issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 2011, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate.

9. Beginning August 28, 2011, all new signs erected under this section shall not contain the words "Handicap Parking" or "Handicapped Parking".; and

Further amend said bill, Page 43, Section 302.171, Line 106, by inserting after all of said line the following:

"304.028. 1. **(1)** There is hereby created in the state treasury for use by the department of health and senior services a fund to be known as the "Brain Injury Fund". All judgments collected pursuant to this section, federal grants, private donations and any other moneys designated for the brain injury fund shall be deposited in the fund. Moneys deposited in the fund shall, upon appropriation by the general assembly to the department of health and senior services, be received and expended by the department for the purpose of transition [and], integration, **and provision of [medical] community-based consumer services in comprehensive brain injury day rehabilitation therapy, vocational, home and community support**, social and educational [services or] activities for purposes of outreach and supports to enable individuals with [traumatic] brain injury and their families to live in the community.

(2) The department of health and senior services, in cooperation with the department of social services, shall seek waivers from the federal Department of Health and Human Services to allow moneys from the brain injury fund to be used under the MO HealthNet program to provide services under this section. Upon the granting of such waiver, fifty percent of all moneys in the fund shall be designated as MO HealthNet federal match moneys under the waiver. The waivers under this subdivision shall be designed so that parity is established in funding for each of the eligible MO HealthNet service areas to create a balance for access to all brain injury services.

(3) A committee shall be created to develop service descriptions, regulations, and parity of funding for eligible MO HealthNet service areas, as needed. The ten-member volunteer committee shall be organized by the department and shall be comprised of two representatives from each of the following: Missouri Association of Rehabilitation Facilities, the Brain Injury Association, the Brain Injury Advisory Council, the department of social services, and the department of health and senior services. The committee composition shall include at least one individual with a brain injury. Once services are established under this section, the committee shall, at a minimum, meet annually to review services using the most current department of health and senior services brain injury needs assessment. The review process shall require the ten-member volunteer committee to be responsible for addressing any modifications needed in the program services. Such review process shall ensure services are meeting the needs of brain injury consumers.

(4) Notwithstanding the provisions of section 33.080 to the contrary, any unexpended balance in the brain injury fund at the end of any biennium shall not be transferred to the general revenue fund.

2. In all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of this state, including an infraction, there shall be assessed as costs a surcharge in the amount of two dollars. No such surcharge shall be collected in any proceeding involving a violation of an ordinance or state law when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality.

3. Such surcharge shall be collected and distributed by the clerk of the court as provided in sections 488.010 to 488.020. The surcharge collected pursuant to this section shall be paid to the state treasury to the credit of the brain injury fund established in this section."; and

Further amend said bill, Page 50, Section 621.275, Line 19, by inserting after all of said line the following:

"660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197; or

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list. The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. (1) Any employer [who is] required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process, or subsequent, periodic screenings, under section 210.903, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100.**

(2) **Notwithstanding subsections 3 and 5 of section 288.090, an employer shall not be charged for unemployment insurance benefits based on wages paid to the employee or an employer making payments in lieu of contributions for work prior to the date of discharge, pursuant to section 288.100, if the employer terminated the employee because the employee:**

- (a) **Has been found guilty of, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;**
- (b) **Was placed on the employee disqualification list under this section, after the date of hire;**
- (c) **Was placed on the employee disqualification registry maintained by the department of mental health, after the date of hire;**
- (d) **Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or**
- (e) **Was denied a good cause waiver as provided for in subsection 10 of section 660.317.**

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and

Further amend said bill, Page 51, Section 33.753, Line 9, by inserting after all of said line the following:

"Section B. The provisions of section 161.870 of this act shall terminate on January 1, 2013.

Section C. Because immediate action is necessary to ensure compliance with the federal Americans With Disabilities Act, the repeal and reenactment of section 301.143 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 301.143 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

AMEND House Committee Substitute for House Bill No. 1900, Page 20, Section 37.110, Line 5, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains

in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems**, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of

economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

- (r) The general land uses to apply in the development area;
 - (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
 - (t) The total number of full-time equivalent positions in the development area;
 - (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
 - (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
 - (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
 - (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
 - (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
 - (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
 - (aa) A list of other community and economic benefits to result from the project;
 - (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
 - (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
 - (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
 - (ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
 - (ff) A list of competing businesses in the county containing the development area and in each contiguous county;
 - (gg) A market study for the development area;
 - (hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;
- (3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;
- (4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee

begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

SENATE CONCURRENT RESOLUTIONS

SCS SCR 17, relating to "The Great Rivers State," was taken up by Representative Diehl.

On motion of Representative Diehl, **SCS SCR 17** was adopted by the following vote:

AYES: 108

Anders	Atkins	Aull	Barnes	Black
Brandom	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Diehl	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lampe	Largent
Lauer	Leara	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Morgan
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon

Reiboldt	Riddle	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	Wright	Zerr		

NOES: 028

Allen	Asbury	Bahr	Bernskoetter	Carlson
Colona	Ellinger	Ellington	Fisher	Flanigan
Franz	Guernsey	Hinson	Houghton	Jones 63
Keeney	Lair	Leach	Montecillo	Neth
Richardson	Rizzo	Sater	Sifton	Swearingen
Webber	White	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 027

Berry	Brattin	Brown 50	Carter	Denison
Dieckhaus	Frederick	Funderburk	Gatschenberger	Hughes
Lant	Lasater	Lichtenegger	May	McDonald
McNary	Nance	Nasheed	Nolte	Rowland
Schatz	Schneider	Smith 71	Swinger	Webb
Wieland	Mr Speaker			

SCR 24, relating to motor carrier safety, was taken up by Representative Davis.

Representative Keeney assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Neth	Phillips	Pollock	Reiboldt
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wyatt	Zerr			

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NOES: 046

Atkins	Aull	Black	Carlson	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 030

Anders	Brattin	Brown 50	Carter	Dieckhaus
Flanigan	Frederick	Funderburk	Gatschenberger	Hubbard
Hughes	Lasater	Lichtenegger	May	McDonald
McNary	Nance	Nolte	Parkinson	Pierson
Redmon	Richardson	Sater	Schatz	Smith 71
Swinger	Webb	Wieland	Wright	Mr Speaker

On motion of Representative Davis, **SCR 24** was adopted by the following vote:

AYES: 127

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCaherty	McCreery
McGeoghegan	McGhee	McManus	Meadows	Molendorp
Montecillo	Morgan	Neth	Newman	Nichols
Nolte	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 010

Colona	Ellinger	Ellington	Hubbard	Jones 63
Kander	McCann Beatty	Nasheed	Talboy	Webber

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brattin	Brown 85	Brown 116	Carter
Dieckhaus	Frederick	Funderburk	Gatschenberger	Hughes
Lasater	Lichtenegger	May	McDonald	McNary
McNeil	Nance	Parkinson	Sater	Schatz
Smith 71	Swearingen	Swinger	Webb	Wieland
Mr Speaker				

Speaker Pro Tem Schoeller resumed the Chair.

SCR 15, relating to flood control, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **SCR 15** was adopted by the following vote:

AYES: 122

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Long	Marshall	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNeil
Meadows	Morgan	Neth	Newman	Parkinson
Phillips	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 011

Carlson	Ellinger	Hummel	Kirkton	McCreery
Montecillo	Nichols	Oxford	Pace	Schupp
Spreng				

PRESENT: 000

ABSENT WITH LEAVE: 030

Brattin	Brown 50	Carter	Dieckhaus	Diehl
Frederick	Funderburk	Gatschenberger	Hughes	Jones 117
Lasater	Lichtenegger	Loehner	May	McDonald
McNary	Molendorp	Nance	Nasheed	Nolte
Pierson	Redmon	Sater	Schatz	Silvey
Smith 71	Swinger	Webb	Wieland	Mr Speaker

SCR 26, relating to transportation needs, was taken up by Representative Cierpiot.

On motion of Representative Cierpiot, **SCR 26** was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Flanigan	Fraker	Franklin	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNeil	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Carter	Colona	Dieckhaus	Diehl
Ellington	Fitzwater	Franz	Frederick	Funderburk
Gatschenberger	Hughes	Largent	Lasater	Lichtenegger
May	McDonald	McNary	Meadows	Molendorp

Nance	Nolte	Sater	Schad	Schatz
Silvey	Smith 71	Swinger	Talboy	Webb
Wieland	Mr Speaker			

BILL IN CONFERENCE

CCR SB 611, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7 and House Amendment No. 8, relating to the regulation of transportation, was taken up by Representative Stream.

On motion of Representative Stream, **CCR SB 611, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7 and House Amendment No. 8** was adopted by the following vote:

AYES: 129

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Long	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNeil
Montecillo	Morgan	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wyatt	Zerr	

NOES: 004

Allen	Ellington	Flanigan	Marshall
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PRESENT: 001

Johnson

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ABSENT WITH LEAVE: 029

Brattin	Carter	Colona	Diehl	Frederick
Funderburk	Gatschenberger	Guernsey	Hubbard	Hughes
Lasater	Lichtenegger	Loehner	May	McDonald
McNary	Meadows	Molendorp	Nance	Nasheed
Nolte	Sater	Schatz	Smith 71	Swinger
Webb	Wieland	Wright	Mr Speaker	

On motion of Representative Stream, **CCS SB 611** was truly agreed to and finally passed by the following vote:

AYES: 127

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 004

Allen	Ellington	Flanigan	Marshall
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PRESENT: 001

Johnson

ABSENT WITH LEAVE: 031

Barnes	Brattin	Carter	Denison	Dieckhaus
Diehl	Frederick	Funderburk	Gatschenberger	Hubbard
Hughes	Lasater	Lichtenegger	Loehner	Long
May	McDonald	McNary	McNeil	Meadows

Molendorp	Nance	Nolte	Sater	Schad
Schatz	Smith 71	Swinger	Webb	Wieland
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

BILL CARRYING REQUEST MESSAGE

SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended, relating to the “Fred F. Guthrie, Jr. Memorial Highway”, was taken up by Representative Marshall.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Day	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Leach
Leara	Loehner	Marshall	McGhee	McNary
Molendorp	Nasheed	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr

NOES: 037

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellington	Fallert
Hodges	Holsman	Hummel	Jones 63	Kander
Kratky	Lampe	McCann Beatty	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Rizzo	Schupp	Shively
Sifton	Spreng	Still	Swearingen	Talboy
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 041

Barnes	Brattin	Brown 50	Carter	Cox
Denison	Dieckhaus	Ellinger	Frederick	Funderburk
Gatschenberger	Gosen	Harris	Hubbard	Hughes
Kelly 24	Kirkton	Lasater	Lauer	Lichtenegger

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Long	May	McCaherty	McCreery	McDonald
Meadows	Nance	Neth	Nolte	Pierson
Quinn	Sater	Schatz	Schieffer	Silvey
Smith 71	Swinger	Taylor	Webb	Wieland
Mr Speaker				

On motion of Representative Marshall, **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended**, was adopted by the following vote:

AYES: 132

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brown 85
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 002

Flanigan	Leara
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PRESENT: 007

Allen	Brandom	Brown 116	Conway 14	Haefner
Lauer	Leach			

ABSENT WITH LEAVE: 022

Brattin	Brown 50	Carter	Frederick	Funderburk
Gatschenberger	Hubbard	Hughes	Lasater	Lichtenegger
May	McDonald	Meadows	Nance	Nolte
Sater	Schatz	Smith 71	Swinger	Webb
Wieland	Mr Speaker			

On motion of Representative Marshall, **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 124

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Loehner
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wright	Wyatt	Zerr	

NOES: 002

Flanigan Leara

PRESENT: 005

Allen Brandom Conway 14 Haefner Leach

ABSENT WITH LEAVE: 032

Barnes	Brattin	Brown 50	Carlson	Carter
Cookson	Entlicher	Fallert	Frederick	Funderburk
Gatschenberger	Hinson	Hubbard	Hughes	Jones 63
Lasater	Lichtenegger	Long	May	McDonald
McGhee	Meadows	Nance	Nolte	Sater
Schatz	Smith 71	Still	Swinger	Webb
Wieland	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

BILL IN CONFERENCE

CCR HCS SB 636, as amended, relating to judicial procedures, was taken up by Representative Diehl.

On motion of Representative Diehl, **CCR HCS SB 636, as amended**, was adopted by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 030

Brattin	Brown 50	Carter	Conway 14	Curtman
Elmer	Entlicher	Frederick	Funderburk	Gatschenberger
Hinson	Hubbard	Hughes	Jones 117	Kelly 24
Lasater	Lichtenegger	May	McDonald	Meadows
Nance	Parkinson	Sater	Schatz	Smith 71
Solon	Swinger	Webb	Wieland	Mr Speaker

On motion of Representative Diehl, **CCS HCS SB 636** was truly agreed to and finally passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Brattin	Carter	Cauthorn	Conway 14	Frederick
Funderburk	Gatschenberger	Hinson	Hubbard	Hughes
Kelly 24	Lasater	Lichtenegger	May	McDonald
Meadows	Nance	Nasheed	Newman	Sater
Schatz	Smith 71	Swinger	Webb	Wieland

Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 755, as amended, relating to public safety, was taken up by Representative Cookson.

Representative Cookson moved that the House recede from its position on **HCS SS SCS SB 755, as amended**.

Representative Wells moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Neth
Nolte	Parkinson	Phillips	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shumake
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 043

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Shively	Sifton	Still	Swearingen	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Carter	Conway 14	Cross	Day
Ellington	Fitzwater	Frederick	Funderburk	Gatschenberger
Hinson	Hubbard	Hughes	Jones 63	Lasater
Lichtenegger	May	McDonald	Meadows	Nance

Nasheed	Pollock	Riddle	Sater	Schatz
Silvey	Smith 71	Spreng	Swinger	Webb
Wieland	Mr Speaker			

Representative Cookson again moved that the House recede from its position on **HCS SS SCS SB 755, as amended.**

Which motion was adopted.

On motion of Representative Cookson, **SS SCS SB 755** was truly agreed to and finally passed by the following vote:

AYES: 111

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McManus	McNary
Molendorp	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Richardson
Riddle	Rowland	Ruzicka	Schad	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Still	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 026

Atkins	Colona	Ellinger	Ellington	Holsman
Hummel	Jones 63	Kelly 24	McCann Beatty	McCreery
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Sifton
Spreng	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 026

Brattin	Carter	Cross	Day	Frederick
Funderburk	Gatschenberger	Hinson	Hubbard	Hughes
Kelley 126	Lasater	Lichtenegger	May	McDonald

Meadows	Nance	Reiboldt	Sater	Scharnhorst
Schatz	Smith 71	Swinger	Webb	Wieland
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

BILL IN CONFERENCE

CCR HCS SB 578, as amended, relating to state property, was taken up by Representative Cox.

On motion of Representative Cox, **CCR HCS SB 578, as amended**, was adopted by the following vote:

AYES: 134

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wright	Wyatt	Zerr	

NOES: 005

Atkins	Ellinger	Ellington	Oxford	Schupp
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PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Carter	Davis	Day	Frederick
Funderburk	Gatschenberger	Hinson	Hubbard	Hughes
Lasater	Lichtenegger	May	McDonald	Nance
Pollock	Rowland	Sater	Schatz	Smith 71
Swinger	Webb	Wieland	Mr Speaker	

CCS HCS SB 578 was laid over.

HOUSE BILL WITH SENATE AMENDMENTS

HCS HB 1900, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5, relating to executive branch reorganizations, was taken up by Representative Redmon.

On motion of Representative Redmon, the House concurred in **Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5** by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Elmer	Entlicher	Fraker
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McCann Beatty	McGhee
McNary	Molendorp	Neth	Nichols	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr

NOES: 037

Anders	Atkins	Black	Carlson	Colona
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	McCreery	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Newman
Oxford	Pace	Pierson	Rizzo	Schupp
Shively	Spreng	Still	Swearingen	Talboy
Walton Gray	Webber			

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PRESENT: 001

Sifton

ABSENT WITH LEAVE: 035

Aull	Berry	Brattin	Carter	Day
Denison	Dugger	Fisher	Fitzwater	Flanigan
Franklin	Frederick	Funderburk	Gatschenberger	Hubbard
Hughes	Kander	Lair	Lant	Lasater
Lichtenegger	May	McDonald	Meadows	Nance
Nasheed	Pollock	Quinn	Sater	Schatz
Smith 71	Swinger	Webb	Wieland	Mr Speaker

On motion of Representative Redmon, **HCS HB 1900, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 045

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McGeoghegan	McManus
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Talboy	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 026

Aull	Brattin	Carter	Day	Dugger
Frederick	Funderburk	Gatschenberger	Hubbard	Hughes
Lant	Lasater	Lichtenegger	May	McDonald
McNeil	Meadows	Nance	Riddle	Sater
Schatz	Smith 71	Swinger	Webb	Wieland
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Lauer	Leach	Leara	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 048

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
Marshall	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 024

Aull	Brattin	Carter	Day	Dugger
Frederick	Funderburk	Gatschenberger	Hubbard	Hughes
Kelly 24	Lant	Lasater	Lichtenegger	May
McDonald	Nance	Sater	Schatz	Smith 71
Swinger	Webb	Wieland	Mr Speaker	

HOUSE CONCURRENT RESOLUTION

HCR 55, relating to U.S. trade laws, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCR 55** was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wright	Wyatt		

NOES: 013

Colona	Ellinger	Ellington	Holsman	Hummel
Jones 63	McCann Beatty	Montecillo	Morgan	Pierson
Rizzo	Talboy	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 027

Aull	Brandom	Brattin	Carlson	Carter
Cookson	Cox	Dugger	Frederick	Funderburk
Gatschenberger	Hubbard	Hughes	Lant	Lasater
Lichtenegger	May	McDonald	Nance	Nasheed
Sater	Schatz	Smith 71	Swinger	Webb
Wieland	Mr Speaker			

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 639 - Health Care Policy

REFERRAL OF GOVERNOR'S REORGANIZATION PLAN

The following Governor's Reorganization Plan was referred to the Committee indicated:

GRP 1 - Health Care Policy

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 14 - Utilities
HCR 16 - General Laws
HCR 17 - Health Care Policy
HCR 24 - General Laws
HCR 51 - Children and Families
HCR 56 - Health Care Policy
HCR 58 - Elementary and Secondary Education
HCR 59 - General Laws
HCR 60 - Children and Families

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 40 - Elections
HJR 54 - General Laws
HJR 56 - Ways and Means
HJR 69 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1056 - Ways and Means
HB 1080 - Ethics
HB 1086 - General Laws
HB 1121 - Financial Institutions
HB 1173 - General Laws
HB 1205 - General Laws
HB 1207 - Judiciary
HB 1230 - General Laws

HB 1247 - Transportation
HB 1294 - Financial Institutions
HB 1322 - Corrections
HB 1360 - Crime Prevention and Public Safety
HB 1401 - Health Care Policy
HB 1450 - Health Care Policy
HB 1464 - Ethics
HB 1530 - General Laws
HB 1538 - General Laws
HB 1591 - Ways and Means
HB 1622 - Health Care Policy
HB 1663 - Health Care Policy
HB 1748 - General Laws
HB 1756 - Ethics
HB 1791 - Downsizing State Government
HB 1892 - General Laws
HB 1939 - Ethics
HB 1943 - Economic Development
HB 1949 - Ways and Means
HB 1956 - General Laws
HB 1967 - General Laws
HB 1974 - Utilities
HB 1978 - Downsizing State Government
HB 1987 - Children and Families
HB 1996 - Health Care Policy
HB 2093 - Elections
HB 2102 - Local Government

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1172**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1661**.

The Benediction was given by Msgr. Kurwicki.

The fear of the Lord is the beginning of wisdom: a good understanding have all they that do His commandments. (Psalm: 111:10)

O God, Creator and Sustainer, without Whose benediction all our labor is in vain. The end of this legislative session has arrived. We now ask Your blessing on all that has been accomplished through Your graces and the work of our minds and hearts. Bless all here who have given their best in this House Chamber this year. May those members whose terms of office are concluding know they will never be forgotten. May those former members who died this past year rest in peace. May all staff, clerks, aides and doormen now be granted a period of rest and renewal. Ever Ancient God, all our hope is in You. Be our refuge now and bless the work of our hands!

And the House says, "Amen!"

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, May 30, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Steve Cookson, District 153, hereby state and affirm that my vote presence as recorded today by which Senate Committee Substitute for House Committee Substitute for House Bill No. 789, as amended, was Truly Agreed to and Finally Passed was incorrectly recorded as Absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, my vote was incorrectly recorded, and should have been recorded as Yes.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2012.

/s/ Stephen C. Cookson
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 18th day of May in the year 2012.

/s/ Leticia J. Long
Notary Public

I, State Representative Thomas Flanigan, District 127, hereby state and affirm that my vote presence as recorded today by which Senate Substitute for Senate Committee Substitute for House Bill No. 1251 was Truly Agreed to and Finally Passed was incorrectly recorded as No. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, my vote was incorrectly recorded, and should have been recorded as Yes.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2012.

/s/ Thomas Flanigan
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 18th day of May in the year 2012.

/s/ Leticia J. Long
Notary Public

I, State Representative Ed Schieffer, District 11, hereby state and affirm that my vote presence as recorded today by which Senate Substitute for Senate Bill No. 464 was Truly Agreed to and Finally Passed was incorrectly recorded as No. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, my vote was incorrectly recorded, and should have been recorded as Yes.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2012.

/s/ Ed Schieffer
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 18th day of May in the year 2012.

/s/ Leticia J. Long
Notary Public

[CORRECTED]

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-SEVENTH DAY, WEDNESDAY, MAY 30, 2012

The House met pursuant to adjournment.

Representative Dugger in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Glory be to the Father and to the Son and to the Holy Ghost.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Speaker Tilley assumed the Chair.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 1029, SCS HB 1036, HB 1037, HB 1039, SCS HCS HB 1042, SS SCS HCS HB 1094, HB 1103, HB 1105, SS HCS HB 1106, HCS HB 1108, SCS HB 1112, SS HB 1128, HB 1131, CCS SCS HB 1135, HB 1141, SS SCS HCS HB 1150, HCS HB 1171, HB 1172, HB 1179, HB 1188, HB 1231, HB 1236, HB 1250, SS SCS HB 1251, SS SCS HCS HB 1280, HCS HB 1308, HB 1315, SS HB 1318, SCS HCS#2 HB 1323, HCS HB 1340, SS SCS HCS HB 1400, CCS SS SCS HCS HB 1402, HB 1424, SCS HB 1460, HCS#2 HB 1462, SCS HCS HB 1495, SS SCS HCS HB 1498, SCS HB 1504, SCS HCS HB 1525, HCS HB 1527, HB 1540, HCS HB 1549, SS SCS HCS HB 1563, SS HCS HB 1576, HB 1577, HCS HB 1608, HCS HB 1644, SS HCS HB 1647, SCS HCS HBs 1659 & 1116, HCS HB 1661, HB 1680, SS SCS HCS HB 1731, SCS HCS HB 1789, SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878, HCS HB 1818, SS SCS HB 1820, SCS HCS HB 1827, HCS HB 1900, HB 1909, SS HCS HB 2001, CCS SS SCS HCS HB 2002, CCS SS SCS HCS HB 2003, CCS SS SCS HCS HB 2004, CCS SS SCS HCS HB 2005, CCS SS SCS HCS HB 2006, CCS SS SCS HCS HB 2007, CCS SS SCS HCS HB 2008, CCS SS SCS HCS HB 2009, CCS SS SCS HCS HB 2010, CCS SS SCS HCS HB 2011, CCS SS SCS HCS HB 2012 and CCS SS SCS HCS HB 2013** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Marshall offered an objection to **SS HCS HB 1329**, which was appended to the bill.

OBJECTION TO SIGNING AND ENACTMENT OF
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 1329

WHEREAS, Article III, Section 30 of the Constitution of the State of Missouri provides if any member shall object in writing to the signing of a bill, the objection shall be noted in the journal and annexed to the bill to be considered by the governor in connection therewith; and

WHEREAS, Senate Substitute for House Committee Substitute for House Bill 1329 (SS for HCS for HB1329) violates the Missouri Constitution in the following manner:

1. The Missouri Supreme Court on January 31, 2012 in *Street v. Director of Revenue* determined that State Law allows only for the imposition and collection of sales tax if the sale occurs within Missouri. This was applied to the collection of local sales taxes as a political subdivision may only impose a tax only to the extent allowed under the state sales tax.
2. SS for HCS for HB1329 attempts to abrogate *Street v. Director of Revenue* and impose a sales tax on all sales or motor vehicles, trailers, boats and outboard motors, within and outside of Missouri's boundaries at the time of registration with the Department of Revenue; this includes imposition of a local sales tax.
3. This Bill requires the tax to be imposed retroactively.
4. Missouri Constitution Article X Section 18(e) prohibits the General Assembly from increasing taxes or fees without voter approval that in total produce new annual revenues greater than 50 million adjusted annually, or one percent of total state revenues for the second fiscal year prior to the General Assembly's action, or whichever is less. The Section also requires any such tax or fee that exceeds the limit to be submitted to a public vote. Finally, the Section clarifies that an "increase in taxes or fees" means any law or laws passed by the General Assembly which broaden the scope of a tax or fee.
5. Missouri Constitution Article X Section 22 prohibits the levying of any local tax, license or fees not authorized when Section 22 was adopted without the approval of the required majority of the qualified voters of the political subdivision voting on the issue. The Section further requires that if any broadening of the definition of the base of any local tax results in an increase in revenues, the levy must be reduced to yield the same gross revenue to the political subdivision.
6. SS for HCS for HB1329 clearly imposes a new tax that is not allowed by existing Missouri sales tax law upon the People of Missouri without a public vote and consequently violates Article X.

THEREFORE, I conclude that Senate Substitute for House Committee Substitute for House Bill 1329 violates the Missouri Constitution and should not be signed by the Officers of the House or Senate, nor should this Bill be signed by the governor.

Respectfully submitted,

/s/ Representative Nick Marshall
District 30, Platte County

Representative Marshall offered an objection to **SCS HCS HB 1758**, which was appended to the bill.

OBJECTION TO SIGNING AND ENACTMENT OF
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 1758

WHEREAS, Article III, Section 30 of the Constitution of the State of Missouri provides if any member shall object in writing to the signing of a bill, the objection shall be noted in the journal and annexed to the bill to be considered by the governor in connection therewith; and

WHEREAS, Senate Committee Substitute for House Committee Substitute for House Bill 1758 (SCS for HCS for HB1758) violates the United States and Missouri Constitution in the following manner:

1. SCS for HCS for HB1758 drastically changes Missouri law allowing for a person, who is not a child's natural or legal parent, to petition a court of competent jurisdiction or intervene in a pending action for an order of custody or visitation rights.
2. This action for custody or visitation rights may be maintained by a non-natural parent who has an "ongoing parent child relationship" which is broadly defined in the bill.
3. SCS for HCS for HB1758 permits the action by a person who is not a child's natural or legal parent despite the existence of a fit, involved, natural parent.
4. The bill creates a rebuttable presumption that the natural parent acts in the minor child's best interest but allows the Court to rebut that presumption by considering any factor.
5. SCS for HCS for HB1758 directs the Court to award custody or visitation to the petitioner or intervener who is not the child's natural parent if the Court finds it is in the best interest of the child.
6. The Fourteenth Amendment to the United States Constitution declares that the States "shall not deprive any person of life, liberty, or property, without due process of law." This has been held to protect our fundamental rights and liberty interests, including the liberty interests of parents in the care, custody and control of their children. The United States Supreme Court has also consistently cited this natural parental right as one of the oldest and enduring of the fundamental liberty interests.
7. Similarly, Missouri's Constitution declares in Article I Section 2 that "all persons have a natural right to life, liberty, the pursuit of happiness and the enjoyment of the gains of their own industry," and in Article I Section 10 "that no person shall be deprived of life, liberty or property without due process of law." These Constitutional protections prohibit the State from interfering in the fundamental rights of fit natural parents to raise their children based solely upon the States determination of the child's best interest:

THEREFORE, I conclude that Senate Committee Substitute for House Committee Substitute for House Bill 1758 violates both the Missouri and United States Constitutions and should not be signed by the Officers of the House or Senate, nor should the Bill be signed by the governor.

Respectfully submitted,

/s/ Representative Nick Marshall
District 30, Platte County

All other business of the House was suspended while **SS HCS HB 1329** and **SCS HCS HB 1758** were read at length and were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 1029, SCS HB 1036, HB 1037, HB 1039, SCS HCS HB 1042, SS SCS HCS HB 1094, HB 1103, HB 1105, SS HCS HB 1106, HCS HB 1108, SCS HB 1112, SS HB 1128, HB 1131, CCS SCS HB 1135, HB 1141, SS SCS HCS HB 1150, HCS HB 1171, HB 1172, HB 1179, HB 1188, HB 1231, HB 1236, HB 1250, SS SCS HB 1251, SS SCS HCS HB 1280, HCS HB 1308, HB 1315, SS HB 1318, SCS HCS#2 HB 1323, SS HCS HB 1329, HCS HB 1340, SS SCS HCS HB 1400, CCS SS SCS HCS HB 1402, HB 1424, SCS HB 1460, HCS#2 HB 1462, SCS HCS HB 1495, SS SCS HCS HB 1498, SCS HB 1504, SCS HCS HB 1525, HCS HB 1527, HB 1540, HCS HB 1549, SS SCS HCS HB 1563, SS HCS HB 1576, HB 1577, HCS HB 1608, HCS HB 1644, SS HCS HB 1647, SCS HCS HBs 1659 & 1116, HCS HB 1661, HB 1680, SS SCS HCS HB 1731, SCS HCS HB 1758, SCS HCS HB 1789, SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878, HCS HB 1818, SS SCS HB 1820, SCS HCS HB 1827, HCS HB 1900, HB 1909, SS HCS HB 2001, CCS SS SCS HCS HB 2002, CCS SS SCS HCS HB 2003, CCS SS SCS HCS HB 2004, CCS SS SCS HCS HB 2005, CCS SS SCS HCS HB 2006, CCS SS SCS HCS HB 2007, CCS SS SCS HCS HB 2008, CCS SS SCS HCS HB 2009, CCS SS SCS HCS HB 2010, CCS SS SCS HCS HB 2011, CCS SS SCS HCS HB 2012 and CCS SS SCS HCS HB 2013** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE JOINT RESOLUTION

All other business of the House was suspended while **SCS SJR 51** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SS SB 464, HCS SS SCS SB 469, CCS HCS SS SCS SB 470, CCS HCS#2 SCS SB 480, HCS SCS SB 485, SS SCS SBs 489 & 637, CCS HCS SCS SB 498, HCS SCS SB 562, HCS SCS SB 563, SCS SB 566, CCS HCS SB 568, CCS HCS SCS SB 569, SS SCS SB 576, HCS SS SCS SB 595, CCS SB 599, SS SB 607, CCS SB 611, HCS SCS SB 625, CCS HCS SB 628, CCS HCS SCS SB 631, CCS HCS SCS SB 635, CCS HCS SB 636, CCS SS SB 665, HCS SS SCS SB 682, SS SCS SB 689, SCS SB 715, CCS#2 SS SCS SB 719, SCS SB 729, SB 736, CCS HCS SS SB 749, SS SCS SB 755, CCS HCS SS SB 769, SCS SB 789, SCS SB 835 and SCS SB 837** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

May 30, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731** entitled:

“AN ACT”

To repeal sections 42.300, 161.215, and 313.835, RSMo, and to enact in lieu thereof six new sections relating to the use of gaming moneys, with an emergency clause.

On May 30, 2012, I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

The following members’ presence was noted: Cookson, Fisher, Kelly (24), Marshall and Riddle.

ADJOURNMENT

The Speaker declared the House of Representatives of the Ninety-sixth General Assembly, convened in Second Regular Session on January 4, 2012, adjourned sine die as of midnight, May 30, 2012, pursuant to the Constitution.

STEVEN TILLEY
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

[CORRECTED]

JOURNAL OF THE HOUSE

VETO SESSION

Second Regular Session, 96th GENERAL ASSEMBLY

WEDNESDAY, SEPTEMBER 12, 2012

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Cleanse Thou me from secret faults. (Psalm 19:12)

O God, facing the demanding duties of this day and conscious of our pressing problems we feel our need of You - so we come lifting our hearts to You in prayer. Make us ready for every responsibility, equal to every experience and adequate for every activity. May we be more than a match for the mood of this moving moment.

Remove from us any resentment which may be ruining our disposition, any bitterness that may be blighting our lives, and any animosity which may activate ill will in us. Cleanse the thoughts of our hearts by the inspiration of Your Holy Spirit, that we may perfectly love You, worthily magnify Your Holy Name, and truly serve our state well this day.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

NOMINATION FOR SPEAKER

Representative Crawford nominated Representative Tim Jones as Speaker of the House.

Representative Torpey seconded the nomination.

Representative Talboy moved that nominations cease and that Representative Jones (89) be elected by acclamation.

Which motion was adopted

OATH OF OFFICE

Representative Jones (89) advanced to the bar and subscribed to the oath of office which was administered by the Honorable Mary Rhodes Russell, Judge of the Supreme Court of the State of Missouri.

Speaker Jones (89) assumed the Chair and addressed the House.

ADDRESS BY SPEAKER TIMOTHY JONES

Good afternoon.

Speaker Pro Tem Schoeller, Justice Russell, colleagues and friends, thank you very much.

I humbly accept the decision of this body to elect me to serve out the remainder of Speaker Tilley's term. This change comes at a busy time for all of us. Today's veto session brings with it critical issues that require our immediate, undivided attention. It also allows us to consider the future of our state.

To begin, I would like to share some personal reflections on this day, this time in our history, and on the hard work that we all know lies ahead of us, for us and for all the citizens of our state.

First, I owe a deep debt of gratitude and an immeasurable amount of thanks to the many people who have supported me, counseled me, comforted me, and yes, even constructively criticized me for these past many years. Last but absolutely not least, I thank all the citizens of the 89th District and the new 110th District. Without their constant support, guidance, counsel, and assistance, I would not be standing before you today.

My family is first and foremost in my mind today. While many of them are unable to attend, my dear wife, Suzanne, and one of our beautiful, cherished daughters, Abigail, were able to make the journey here. Suzanne has been my staunchest supporter, my fiercest defender, and the rock to which I cling when the world seems engulfed in storm and fire. She is patient, she is kind, she is thoughtful, she is wise. We do not always agree on "Tim's Political Topic of the Day," but then again, what two people ever agree on everything? As of this year, we have been married for ten years and I can tell you that every day I am thankful that this wonderful person chose me as her husband and partner in this business we call life. Suzanne, I cannot thank you enough for all you do and continue to do.

We have two daughters, Katherine Sophia and Abigail Elizabeth. Katie is seven and currently attending second grade at Geggie Elementary in the Rockwood School District. She excels in reading and writing... and arguing. I wonder where she gets it? I could not be more proud of my spirited little girl who tells me every day when I have to travel that she is sorry I am going and that she misses me very much.

Little Abby is a treasure. Her bright eyes and bright smile can light up the most somber of situations and remind us all to be more joyful. Abby has also begun her education as she attends pre-school at St. Mark's Lutheran in Eureka. These three ladies endure so much given the interesting career path that their husband and father has taken; yet their love is endless. For that, I am so blessed.

What I have learned, through colleagues like Sandy and Noel, is that Missourians are caring, hard-working, and industrious people. Missourians foster faithful families, make extraordinary products, and lead the way to new markets in agriculture, science, and technology. Despite what others might say, Missourians – WE BUILT IT.

We are now caught up in the worst economy of our lives and face what is arguably the most challenging period in our nation's history, but Missourians continue to forge ahead, to create, to innovate, to grow, and to BUILD.

So what do we...

...as public servants...

...as representatives of the people...

owe to our constituents and to the citizens of our great state?

Leadership.

Whatever the issue may be, whatever the policy decision laid before us, wherever and however the political winds may blow, we owe our great state principled, determined LEADERSHIP.

The people deserve the kind of leadership that transcends party lines and overcomes the differences we have too often seen between this chamber and our esteemed colleagues on the other side of the building.

As your Speaker, I promise you this: We will work together with our colleagues in the Missouri Senate. Several of our members here today will soon make that trek across the rotunda to the east side of the Capitol. I know they realize a change in location doesn't mean a change in their policy positions. And even though they will find themselves on the other side of the building next year, I know they will work with their new colleagues in the Senate and their old friends here in the House to find the common ground we all know exists.

As we look at the session ahead, know that I will work faithfully with our friends in the Senate to advance a principled policy agenda that will ensure our state is nationally competitive and is in the best interests of all Missourians.

Though I cannot speak for any other leader in our government, I promise you that I will lead with the House's agenda from the forefront. With my colleagues, we will unveil a bold, specific agenda that is rooted in optimism as we look to our better days ahead. Our agenda will inspire growth, innovation, and creativity by building a better Missouri through three basic building blocks:

We will foster an environment that encourages job creation and economic development through streamlined government, tax relief, and a reduced regulatory burden;

We will encourage research and innovation that brings new jobs to our state and leads Missouri closer to energy independence;

We will reform our failing education bureaucracy to guarantee all of our children – no matter their address or zipcode – a quality, affordable education.

These are issues that are near and dear to all Missourians, no matter your philosophy and no matter your political party.

Missourians have also made it clear at the ballot box that elected leaders are expected to stay true to our core values and beliefs. While I am committed to working with all elected officials, I will not waiver on my core principles. I am dedicated to protecting life, ensuring our second amendment rights, and advancing the cause of freedom and liberty that is guaranteed in the Constitution that we have all taken a sacred oath to protect.

My friends, our nation was promised hope and change. These are lofty goals that we all should embrace. But hope and change require more than just speeches and statements, sound bites and talking points. Hope and change requires leaders to do more than talk about the problems and lay blame upon those of the past. Hope and change requires action. It requires pragmatism and cooperation. Hope and change succeeds only in the presence of those willing to face with true grit the challenges that place the future of our state and nation in harm's way.

I believe there is a new dawn on the horizon.

It is our responsibility to take principled stands and to create a new, more prosperous tomorrow. That tomorrow must be full of promise and brimming with optimism and strength. Missouri is known as the Show-Me State because our citizens demand results. They demand action to back up the promises of a greater tomorrow. The solutions we present, the solutions we "show" to the extremely challenging issues before us will not come easy without leadership, integrity, hard work, and perseverance.

But Missourians are a hard lot...an industrious lot...a serious people who encountered this great land so long ago and found it to be one of abundance and prosperity. We have before us a bright future where that abundance and prosperity is simply waiting for us to harness it and place it to a bountiful use.

I again thank you for the humble opportunity to serve you in this role, to lead you, to walk with you, to that more promising tomorrow. May God bless you and your families, the Great State of Missouri, and may God bless America.

Speaker Pro Tem Schoeller resumed the Chair.

HOUSE RESOLUTION

Representative Riddle offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2012 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Riddle, **House Resolution No. 1** was adopted by the following vote:

AYES: 157

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Atkins Hughes McGeoghegan Meadows

VACANCIES: 002

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

MESSAGES FROM THE GOVERNOR

March 16, 2012

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96TH GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 1219** entitled:

“AN ACT”

To repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

I disapprove of **House Bill No. 1219**. My reasons for disapproval are as follows:

Much like Senate Committee Substitute for Senate Bill No. 188, which I vetoed in 2011, **House Bill No. 1219** weakens Missouri’s commitment to address discriminatory conduct and limits existing protections for whistleblowers in the workplace.

The following are several of the unacceptable provisions contained in **House Bill No. 1219** that collectively evince a desire to undo decades of progress in Missouri.

Eliminates individual responsibility for discrimination. **House Bill No. 1219** ignores a basic tenet of the Missouri Human Rights Act in that it releases from liability the very person who committed the discriminatory act. The Missouri Human Rights Act was established to protect Missourians from such treatment by holding those who discriminate and harass accountable for their actions.

Exempts private clubs and seasonal employers from suit. **House Bill No. 1219** would exempt private clubs and many seasonal employers from the type of conduct prohibited by the Missouri Human Rights Act. This Act must continue to protect against discrimination regardless of where it occurs.

Significantly reduces the availability of damages in discrimination cases. **House Bill No. 1219** would establish a cap on damages in discrimination cases. And while federal law also establishes limits, the federal caps apply against the aggregate of only compensatory and punitive damages. **House Bill No. 1219**, meanwhile, would apply that same

monetary limit to the sum of awarded “back pay, interest on back pay, other equitable relief [front pay], court costs and reasonable attorneys fees,” as well as compensatory and punitive damages. Such limits would significantly reduce the potential award in any given case and would undermine the effectiveness of the Missouri Human Rights Act.

Prevents a court from awarding any damages in housing discrimination cases. State law makes it unlawful to discriminate in housing decisions because of race, color, religion, national origin, ancestry, sex, disability or familial status and provides for the recovery of damages for such conduct. **House Bill No. 1219**, by way of Section 213.111.8, RSMo, would inexplicably eliminate a court’s ability to award damages in housing discrimination cases brought under Sections 213.040, 213.045 or 213.050, RSMo.

Prohibits punitive damages against government. **House Bill No. 1219** would bar punitive damages in discrimination suits against the State or political subdivisions except in certain housing cases, effectively holding governmental entities less accountable to its citizens than their private sector counterparts. Discrimination and unfair treatment does not become more or less abhorrent based on who is doing the discriminating, and the Missouri Human Rights Act should therefore make no such distinction.

Reduces protection for Whistleblowers. **House Bill No. 1219** would narrow the protections that currently exist against retaliation in the workplace. Whistleblowers provide an important service to all Missourians, and laws should not be written to discourage individuals from exposing misconduct.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 1219** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Bill No. 1250** entitled:

“AN ACT”

To repeal sections 77.080, 78.090, and 115.123, RSMo, and to enact in lieu thereof four new section [sic] relating to elections.

I disapprove of **House Bill No. 1250**. My reasons for disapproval are as follows:

The proposed new section 77.085.1 in **House Bill No. 1250**, which would allow an ordinance prohibiting smoking to be passed by the voters of Farmington, includes a defective intersectional reference. The bill indicates that the term “smoking” is defined in subdivision (6) of section 191.765, RSMo. However, subdivision (6) of section 191.765 defines the term “restaurant.” Because this intersectional reference to the definition of “restaurant” cannot be reconciled with any rational understanding of the term “smoking,” it would deprive the public of any ability to understand the scope of the proposed ordinance. Moreover, it is not permissible to substitute what the legislature might have meant for what it actually said. Accordingly, this error, while perhaps inadvertent, is fatal to the bill.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 1250** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for House Committee Substitute for House Bill No. 1329** entitled:

“AN ACT”

To repeal sections 32.087, 144.069, 144.757, and 301.140, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with an emergency clause and a contingent effective date for a certain section.

I disapprove of **Senate Substitute for House Committee Substitute for House Bill No. 1329**. My reasons for disapproval are as follows:

Senate Substitute for House Committee Substitute for House Bill No. 1329 seeks to impose a local tax on the out-of-state purchase of motor vehicles, boats, trailers and outboard motors (collectively “vehicles”). But it does so without a vote of the people and for that reason earns my disapproval.

Street Decision

Senate Substitute for House Committee Substitute for House Bill No. 1329 is intended to overrule the recent Missouri Supreme Court decision in *Street v. Director of Revenue*. In that case, the Court confirmed that vehicles purchased outside of Missouri, and registered here, are subject to the State and local use tax, and not the State and local sales tax. The two are easily distinguished – a sales tax is imposed upon retailers, on in-state transactions, for the privilege of doing business in the State, whereas a use tax is imposed on the consumer for the benefit of using the State’s roads and bridges. In so ruling, the Court stated that in order for a local jurisdiction to impose a local use tax, it “must be authorized by voters in local referendums.”

Local jurisdictions with a voter-approved local use tax have been unaffected by the *Street* decision, including more than 90 cities and now 40 counties (last month the voters of Dunklin County approved a local use tax by nearly a two-to-one margin). It is the remaining cities and counties – where the measure has either not yet gone before the voters or the people have voted against such a tax - to which **Senate Substitute for House Committee Substitute for House Bill No. 1329** is directed.

Senate Substitute for House Committee Substitute for House Bill No. 1329 would create the fiction that all vehicle purchases are made within the State, regardless of where they actually occur, so that such transactions would be treated as sales tax events. However, manipulating the location of the sale in such a way would circumvent the local referendum process, in defiance of the Supreme Court’s directive in *Street*, and deny voters the ability to approve or reject a local use tax on such purchases. Moreover, it exploits the voters’ prior consent to a local sales tax by expanding the breadth of that tax beyond what was approved. In sum, **Senate Substitute for House Committee Substitute for House Bill No. 1329** undermines the fundamental principle that the imposition and rate of local taxes is an issue for Missouri voters, and with my action today, the people will retain that authority.

New and Retroactive Tax

Today, no local tax is collected on out-of-state vehicle sales in jurisdictions that do not have a voter-approved local use tax. Despite this fact, **Senate Substitute for House Committee Substitute for House Bill No. 1329** attempts to convey the opposite, in part by stating that the tax created by this legislation “shall continue to be imposed” (emphasis added). Exacerbating this fabrication, **Senate Substitute for House Committee Substitute for House Bill No. 1329** would apply the tax retroactively to transactions that have already been finalized (i.e., [the legislation] “restores, retroactively and prospectively, the application of Missouri’s local sales tax law . . . on the sale of all motor vehicles, trailers, boats, and outboard motors . . .” (emphasis added). Under a plain reading of that provision, individuals living in jurisdictions without a local use tax, who have purchased a vehicle out-of-state since the Court’s mandate in *Street*, and have registered that vehicle and paid all applicable taxes, would, upon the effective date of **Senate Substitute for House Committee Substitute for House Bill No. 1329**, become liable for an additional “sales” tax of potentially hundreds of

dollars. Such individuals would require no additional confirmation that **Senate Substitute for House Committee Substitute for House Bill No. 1329** imposes a new tax – and does so without voter approval.

Other Concerns

While my disapproval of **Senate Substitute for House Committee Substitute for House Bill No. 1329** unequivocally centers on the imposition of a new tax without voter approval, other concerns remain.

First, the Commerce Clause of the United States Constitution, which prevents states from discriminating against interstate commerce, would become relevant when a Missourian purchases a vehicle in another state that imposes a tax at the time of sale. To avoid duplicative taxation (a tax at the time of purchase and a tax upon registration), states, including Missouri, offset the assessment of a use tax with any tax that has been paid in the other state at the time of purchase. State and federal courts have held that failing to provide such an offset creates double taxation on out-of-state transactions in violation of the Commerce Clause. **Senate Substitute for House Committee Substitute for House Bill No. 1329**, however, does not provide an offset.

And for those who cite the difficulty that local jurisdictions are having in carrying out essential local functions following the reduction in revenue caused by *Street*, it is important to be mindful of the limitation that Article X, Section 10(a) of the Missouri Constitution imposes upon the General Assembly. This section states, in relevant part, that “[e]xcept as provided in this constitution, the general assembly shall not impose taxes upon counties or other political subdivisions or upon the inhabitants or property thereof for municipal, county or other corporate purposes.”

Both the Commerce Clause and Article X, Section 10(a) are important because **Senate Substitute for House Committee Substitute for House Bill No. 1329** contains a non-severability clause. If any provision is found to be unenforceable, the entire legislation would become invalid.

Conclusion

Senate Substitute for House Committee Substitute for House Bill No. 1329 is an affront to every Missourian who has not yet had the opportunity to vote on whether to impose a local use tax, and especially to those voters in jurisdictions that have explicitly rejected such a tax. And while I recognize the impact that the *Street* decision is having on local governments and auto dealers across the State, that is not justification for usurping the authority of the voters on matters dealing with local taxation.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for House Committee Substitute for House Bill No. 1329** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** entitled:

“AN ACT”

To repeal section 453.005, RSMo, and to enact in lieu thereof two new sections relating to rights of persons with parental relationships.

I disapprove of **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758**. My reasons for disapproval are as follows:

Senate Committee Substitute for House Committee Substitute for House Bill No. 1758 would extend visitation and custody rights to certain persons other than a child’s natural parents when a “parent/child relationship” has been established. While present-day family dynamics might very well merit measured expansion in this area when it is in the best interests of a child, establishing a legal mechanism that overrides the objection of an otherwise fit and willing natural parent presents cause for further review.

The stated purpose of **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** is commendable: “to protect the psychological, emotional, and physical well-being of Missouri children by ensuring continuing interaction between a minor child and those persons with whom the minor child shares a substantial bond” This objective appropriately recognizes individuals who have assumed the role of parent for a meaningful period of time as well as the potential harm that can occur to the child if that relationship is severed. That said, given the breadth of circumstances that can give rise to a custody determination, which is backed by a well-settled body of law, this proposal would benefit from additional scrutiny so that it can achieve the end sought and avoid the hidden peril of all well-intended legislation – the unintended consequence.

Adding to the need for continued study are the drafting missteps that are present within **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758**. For one, while the bill gives a court the authority to impose a support obligation on a non-biological parent in the same manner as existing law, it fails to amend corresponding sections of law referencing the “parent and child relationship” so that the Department of Social Services, Family Support Division, can modify and terminate such orders. Moreover, **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** neglects to amend the criminal non-support statute so that those in a recognized “parent/child relationship” are subject to the same types of penalties as those levied against natural parents who fail to meet their support obligations. These oversights are more than just untidy drafting; because the standards and procedures for imposing support orders in Missouri are both clear and reliable, any inconsistency that is introduced could jeopardize the welfare of the very children the bill seeks to help.

To be sure, **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** strikes at the confluence of two important policy objectives: the best interests of a child and the rights of natural parents. Therefore, it is critical that any adjustment made to that balance is delicately crafted to prevent unintended outcomes and avoid disturbing the existing process for administering support obligations.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 27, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Committee Substitute for House Bill No. 1789** entitled:

“AN ACT”

To repeal sections 162.431 and 167.121, RSMo, and to enact in lieu thereof three new sections relating to travel hardships of public school pupils.

I disapprove of **Senate Committee Substitute for House Committee Substitute for House Bill No. 1789**. My reasons for disapproval are as follows:

Existing law already establishes a reasoned process by which a pupil can be reassigned to another school district if the student’s residence “is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance.” These requests are governed by detailed regulations promulgated by the Department of Elementary and Secondary Education with the discretion to grant a request vested in the Commissioner of Education. The existing process has statewide application and has resulted in students being granted transportation hardships.

Senate Committee Substitute for House Committee Substitute for House Bill No. 1789 would deviate from this statewide approach by establishing a substantially different standard for transportation hardship requests submitted on behalf of pupils from three communities specifically described in the legislation. In contrast to current law, the new standard would mandate approval based solely on mileage without regard to whether a particular student’s circumstance constitutes a “hardship.”

This bill violates the Hancock Amendment by imposing an unfunded mandate on resident school districts affected by the new standard. This new standard does not require an applicant establish a transportation hardship but rather focuses exclusively on differences in driving distance. Students permitted to transfer under this new standard impose a new or increased activity on their resident school district which will be responsible for the cost of tuition in the receiving school district. This is particularly problematic when the cost of tuition exceeds the per pupil state aid received by the resident school district.

In addition, the driving distance between a pupil’s residence and the “attendance center” in both the resident school district and the proposed receiving school district is a critical component to the new standard. However, the term “attendance center” is undefined in **Senate Committee Substitute for House Committee Substitute for House Bill No. 1789** creating a real and practical inability to implement the new standard. For instance, the school administration building, the school the pupil would attend or the geographic center of the school district could all constitute the “attendance center.”

Senate Committee Substitute for House Committee Substitute for House Bill No. 1789 also makes permanent all transportation hardships previously granted by the Commissioner of Education. Under this provision, the Commissioner of Education would no longer be able to terminate a previously granted hardship assignment due to improvements in transportation circumstances implemented by a resident school district. The elimination of periodic reviews by the Commissioner of Education will unnecessarily extend the financial strain on an affected resident school district that has implemented appropriate steps to address a transportation issue.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Committee Substitute for House Bill No. 1789** without my approval.

Sincerely,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 20, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 1900** entitled:

“AN ACT”

To repeal sections 3.060, 3.070, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 37.005, 37.010, 37.020, 37.110, 71.012, 71.014, 71.015, 99.845, 160.545, 161.418, 161.424, 181.110, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.935, 196.1103, 209.150, 209.152, 209.200, 209.202, 209.251, 217.575, 251.100, 251.240, 253.320, 261.010, 288.034, 301.020, 301.143, 302.171, 304.028, 311.650, 313.210, 320.260, 334.125, 361.010, 595.036, 595.037, 595.060, 610.029, 610.120, 620.1100, 620.1580, and 660.315, RSMo, and to enact in lieu thereof eighty new sections for the sole purpose of restructuring statutes based on executive branch reorganizations, with penalty provisions.

I disapprove of **House Committee Substitute for House Bill No. 1900**. My reasons for disapproval are as follows:

Since 1875, the Missouri Constitution has required legislation to be limited to its original purpose and a single subject. These basic requirements promote an open process that alert legislators and the general public to the substance of pending legislation. They further prevent “logrolling,” in which several matters that would not individually command a majority vote are bundled into a single bill to ensure passage. Nevertheless, despite repeated admonitions from the courts, the development of omnibus legislation continues to trample upon these tenets of legislative transparency en route to passage. **House Committee Substitute for House Bill No. 1900** is the most recent example.

House Committee Substitute for House Bill No. 1900 was introduced as a simple housekeeping measure to reconcile state statutes with organizational changes that have been made within the executive branch. Its title reflected this singular purpose – “for the sole purpose of restructuring statutes based on executive branch reorganizations.” Indeed, the bill went through most of the legislative process in that form, including committee review and public hearings. But in the final days of the session, discipline waned as amendment upon unrelated amendment was added, transforming the bill into a seventy-nine page hodgepodge of unrelated matters, and abandoning the constitutional guideposts for legislative transparency in the process.

Original Purpose Requirement

The Missouri Constitution requires that “no bill shall be so amended in its passage through either house as to change its original purpose.” *Mo. Const. Art. III, Sec. 21*. This prohibition on adding “subject matter that is not germane to the object of the legislation or that is unrelated to its original subject” is meant to fairly apprise citizens of the subject of legislation being considered. *C.C. Dillon Co. v. City of Eureka*, 12 S.W.3d 322, 326-327 (Mo. Banc 2000).

In this instance, the added matters must be germane to “restructuring statutes based on executive branch reorganizations.” However, the numerous provisions added at the end of the legislative session bear no resemblance to this purpose; instead, they run the policy gamut, from reducing the statute of limitations on municipal annexation challenges, to divesting from Iran in order to diminish its nuclear capacity, to increasing the penalty for injuring or killing a service dog - to name just a few. Further frustrating the transparency that the legislative process requires, not all of the newly

added provisions received a public hearing. Regardless, when **House Committee Substitute for House Bill No. 1900** departed from its original purpose, it ran afoul of Art. III, Sec. 21 of the Missouri Constitution.

Single Subject/Clear Title

As a corollary to the “original purpose” limitation, Article III, Section 23 of the Missouri Constitution requires that “[n]o bill shall contain more than one subject which shall be clearly expressed in its title” This prohibition of multiple subjects is intended to protect legislators from having to vote for some matter that offends them in order to enact another that they support. The test is “whether all provisions of the bill fairly relate to the same subject, have a natural connection therewith or are incidents or means to accomplish its purpose.” *Hammerschmidt v. Boone County*, 877 S.W.2d 98, 101-102 (Mo. Banc 1994).

Admittedly, terms such as “relate” and “natural connection” lend themselves to a subjective examination where rational people may reach different conclusions in some cases. This is not such a case. Rather, the presence of multiple subjects within **House Committee Substitute for House Bill No. 1900** is unequivocal. Beyond the already-stated topics of service dogs, municipal annexation, and divestment from Iran, the bill also addresses tax increment financing, unemployment benefits, disabled parking, and a 911 sales tax. Undeniably, the bill contains multiple subjects.

Also, “[t]he ‘clear title’ provision [of Mo. Const. Art. III, Sec. 23], like the ‘single subject’ restriction, was designed to prevent fraudulent, misleading, and improper legislation, by providing that the title should indicate in a general way the kind of legislation that was being enacted.” *Fust v. Attorney Gen. for the State of Mo.*, 947 S.W.2d 424, 429 (Mo. Banc 1997). The title of **House Committee Substitute for House Bill No. 1900** is not only narrowly crafted but is self-limiting to affirmatively exclude any matter that is not “*for the sole purpose* of restructuring statutes based on executive branch reorganizations...” (emphasis added). In cases such as this one, where the “title of a bill contains a particular limitation or restriction, a provision that goes beyond the limitation . . . is invalid” because it is deemed to mislead the reader. *Id.*

The manifest disregard for openness and transparency in furtherance of this legislation has revealed **House Committee Substitute for House Bill No. 1900** for what it is, a sanctuary for orphaned ideas in search of safe transport to becoming law. But it cannot be. And while my action today will unfortunately preclude the enactment of certain important provisions contained in this bill, it will preserve the constitutional safeguards for accountability in the legislative process.

In accordance with the above stated reasons for disapproval, I am returning **House Committee Substitute for House Bill No. 1900** without my approval.

Sincerely,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 22, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of

the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 4.520

I hereby veto \$50,000 State Transportation Fund and \$80,000 Federal Funds for a port authority. Section 1.100, RSMo requires the use of 2010 census data after July 1, 2011. Based on 2010 census data, the location description in the bill does not match any existing port authority.

For the Waterways Program.
From \$80,000 to \$0 Federal Funds.
From \$50,000 to \$0 State Transportation Fund.
From \$755,000 to \$625,000 in total for the section.

On June 22, 2012 I approved said **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 22, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 7.095

I hereby veto \$80,000 Missouri Humanities Council Trust Fund for the 2012 Blues in Schools Program. This appropriation attempts to bypass the well-established process that is in place to ensure accountability and fairness in selecting recipients of humanities grants.

For the 2012 Blues in Schools Program.
From \$80,000 to \$0 Missouri Humanities Council Trust Fund.
From \$430,000 to \$350,000 in total from Missouri Humanities Council Trust Fund.
From \$11,189,252 to \$11,109,252 in total for the section.

On June 22, 2012 I approved said **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 21, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 10.215

I hereby veto \$30,000 General Revenue Fund for Boone County Legal Fees. These funds are unable to be expended because they do not qualify under Section 56.700, RSMo.

For distribution through the Office of Administration to counties pursuant to Section 56.700, RSMo from \$162,550 to \$132,550 General Revenue Fund.

From \$900,916 to \$870,916 in total from General Revenue Fund.

From \$900,916 to \$870,916 in total for the section.

On June 21, 2012 I approved said **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

HOUSE BILLS VETOED FROM THE SECOND REGULAR SESSION

The Speaker read the following House Bills vetoed from the Second Regular Session:
HB 1219, HB 1250, SS HCS HB 1329, SCS HCS HB 1758, SCS HCS HB 1789, HCS HB 1900, CCS SS SCS HCS HB 2004, CCS SS SCS HCS HB 2007 and CCS SS SCS HCS HB 2010.

HOUSE RESOLUTION

Representative Riddle offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **HB 1219, HB 1250, SS HCS HB 1329, SCS HCS HB 1758, SCS HCS HB 1789, HCS HB 1900, CCS SS SCS HCS HB 2004, CCS SS SCS HCS HB 2007 and CCS SS SCS HCS HB 2010** when the bills were called by the Speaker.

On motion of Representative Riddle, **House Resolution No. 2** was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the attached is a certified copy of the Roll Call on **Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749**.

SENATE BILL VETOED FROM THE SECOND REGULAR SESSION

The Speaker read the following Senate Bill vetoed from the Second Regular Session: **CCS HCS SS SB 749**.

CCS HCS SS SB 749, relating to religious beliefs and convictions, was taken up by Representative Crawford.

Representative Crawford moved that **CCS HCS SS SB 749**, be passed, the objections of the Governor thereto notwithstanding.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr

Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wright	Wyatt	Zerr	

NOES: 048

Anders	Aull	Black	Brown	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 004

Harris	Quinn	Schieffer	Swinger
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ABSENT WITH LEAVE: 005

Atkins	Hughes	Largent	McGeoghegan	Meadows
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VACANCIES: 002

Representative Crawford again moved that **CCS HCS SS SB 749** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 109

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein

Koenig	Korman	Lair	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wright	Wyatt	Zerr	

NOES: 045

Anders	Aull	Black	Carlson	Carter
Colona	Conway 27	Ellinger	Ellington	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 007

Atkins	Brown 50	Franz	Hughes	Largent
McGeoghegan	Meadows			

VACANCIES: 002

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 3**.

SENATE RESOLUTION NO. 3

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of Senate Committee Substitute for Senate Bill No. 566; Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569; Senate Substitute for Senate Bill No. 607; Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635; Senate Committee Substitute for Senate Bill No. 715; and Senate Committee Substitute for Senate Bill No. 837 when the bills were so called by the President.

ADJOURNMENT

On motion of Representative Wright, the Veto Session of the Ninety-sixth General Assembly, Second Regular Session, adjourned sine die pursuant to the Constitution.

TIMOTHY W. JONES
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

COMMITTEE HEARINGS

INTERIM COMMITTEE ON LOCAL GOVERNANCE ISSUES

Thursday, September 13, 2012, 8:30 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Organizational meeting.

Public comments welcome.

Please contact Rep. Allen's office at (573) 751-9765 to register for testimony.